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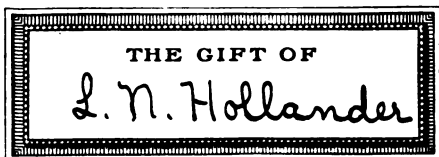
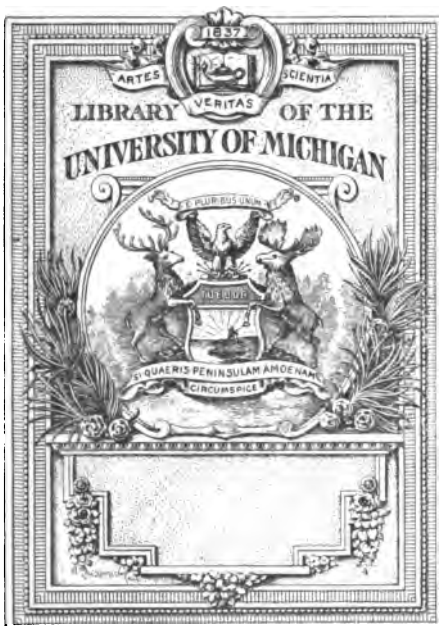
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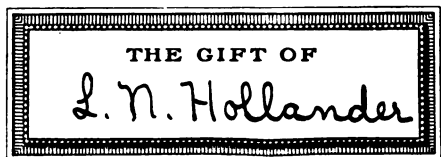
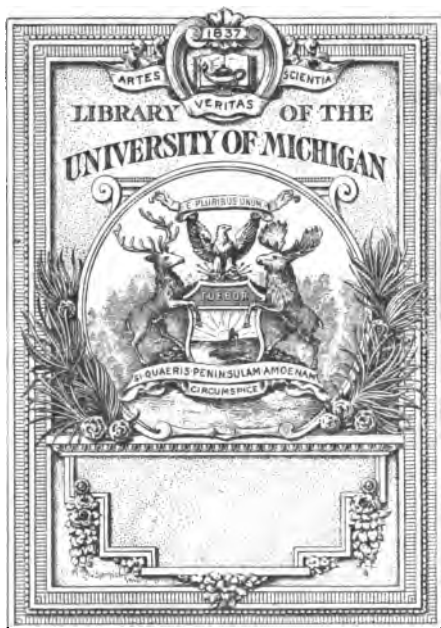
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Burke on  
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BURKE'S SPEECH  
ON  
CONCILIATION WITH THE COLONIES  
(MARCH 22, 1775).

EDITED BY

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EDITOR OF "FROM MILTON TO TENNYSON."

*"Whatever blemishes may be detected, Burke's magnificent speeches stand absolutely alone in the language. They are, literally speaking, the only English speeches which may still be read with profit when the hearers and the speaker have long been turned to dust."* — LESLIE STEPHEN.



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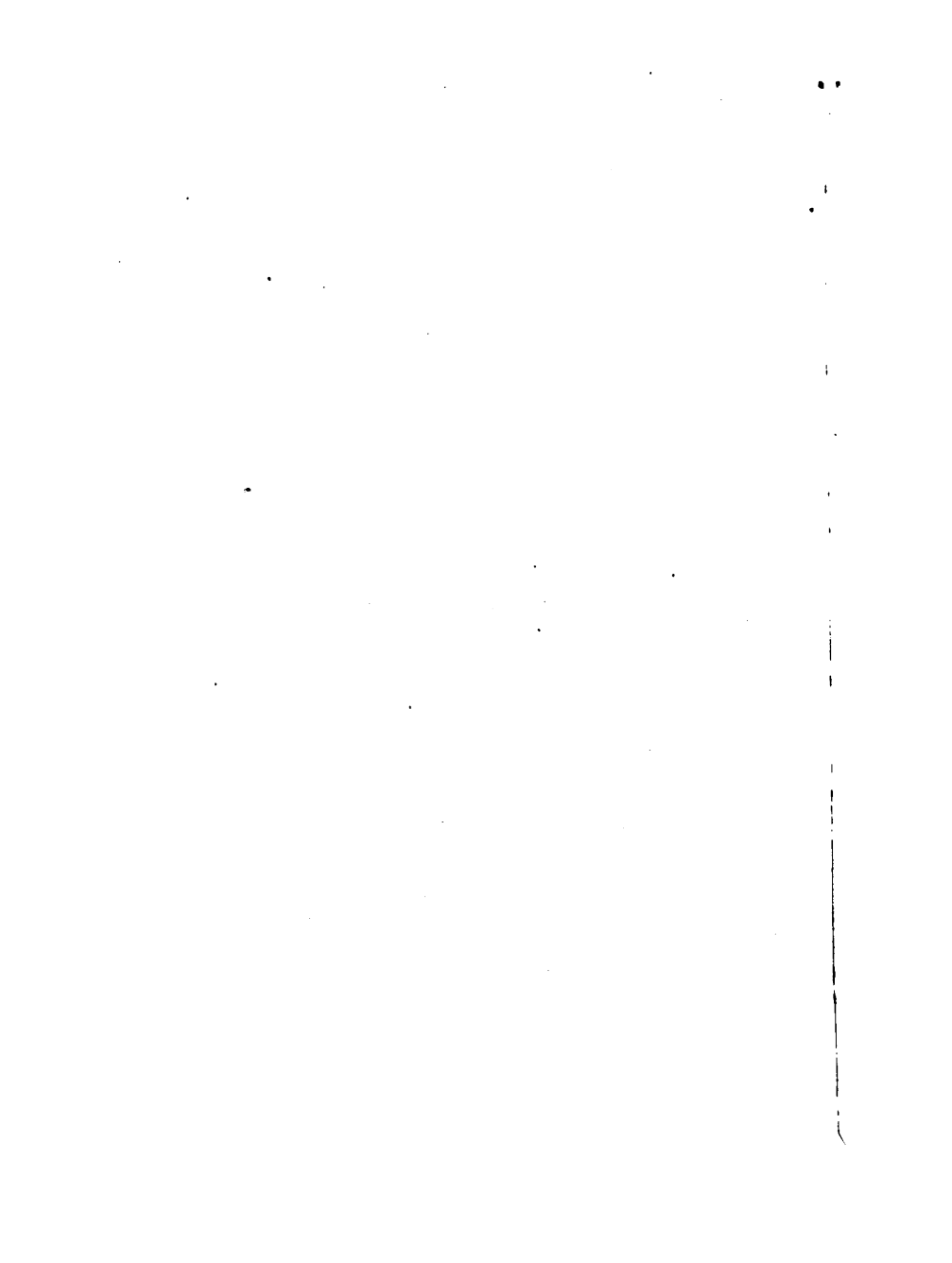
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TO

**S. E. Moffett,**

IN REMEMBRANCE OF HIS UNWEARIED EXERTIONS  
FOR GOOD GOVERNMENT.

208826



## PREFACE.

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THE books to which the editor of this edition is chiefly indebted are mentioned under the heading, *The Best Books about Burke* (p. xxi). Assistance has also been received from PAYNE's edition of the *Conciliation Speech*, and from Mr. LESLIE STEPHEN's incomparable *Dictionary of National Biography*.

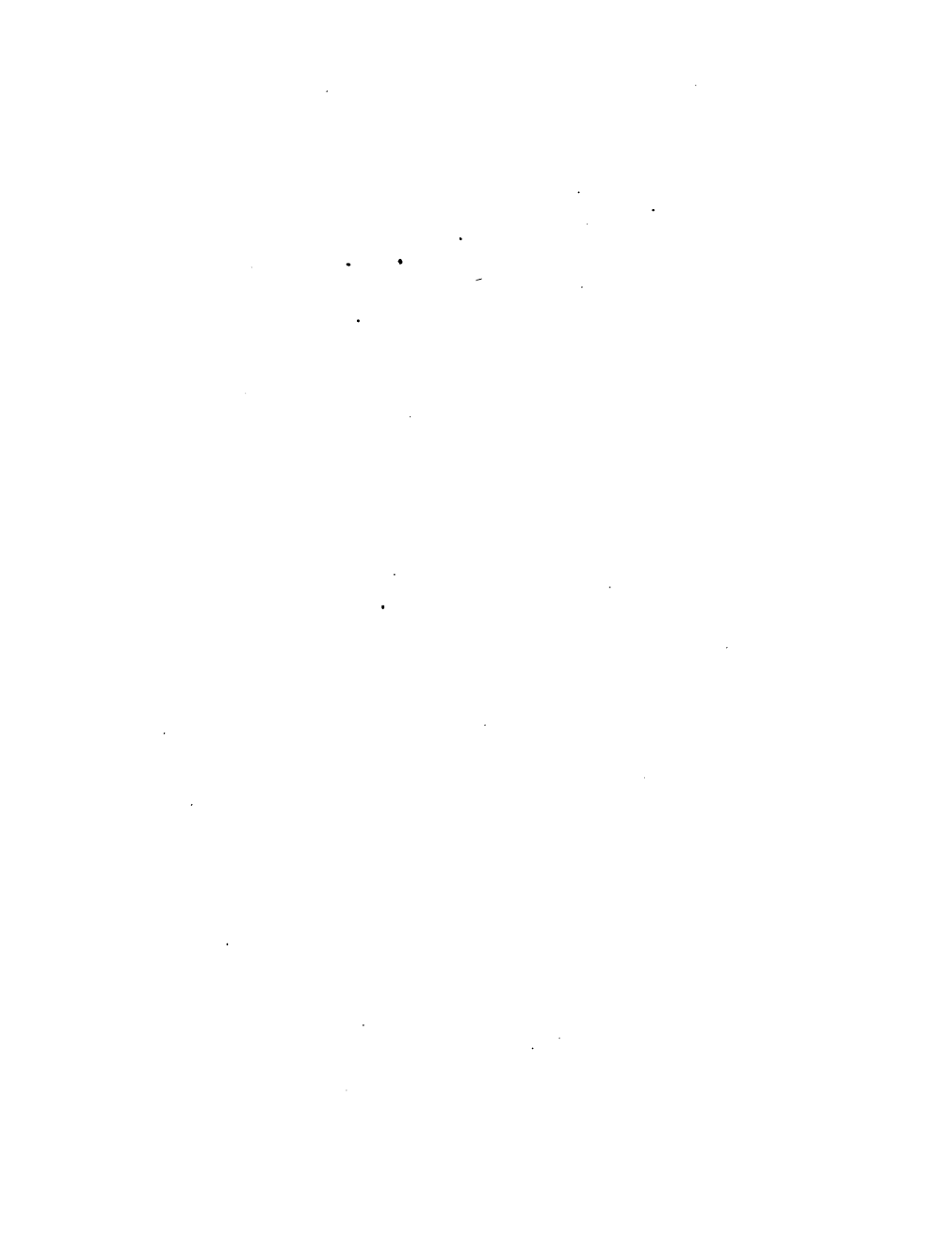
To Professor BERNARD MOSES of the University of California, thanks are due for valuable advice and criticism.



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## EDMUND BURKE.

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EDMUND BURKE was born in Dublin in 1728 or 1729, — in which year is not known with certainty. His father (a Protestant) was a lawyer of some local reputation; his mother was a Roman Catholic. In his first school-teacher, one Abraham Shackleton, Burke had the good fortune to find a gentleman, a scholar, and a friend. With fond and pardonable exaggeration, he attributes his success in life to the teachings of this worthy man.

Burke was at Trinity College, Dublin, from 1743 to 1748; Goldsmith from 1744 to 1749. The young men may have known each other at this time, though we have no record of the fact; we do know, however, that, like most men of genius, they both disliked and neglected the narrow routine of the college curriculum. Burke in college read omnivorously in natural philosophy, logic, metaphysics, history, and poetry; it is not probable that he desired or needed much tutorial guidance in acquiring a first-hand knowledge of these subjects.

In 1750 Burke went to London and entered at the Temple, but was never admitted to the bar. Fortunately for us, the green fields of literature charmed him more

than the dusty courts of law. Fortunately, I said, but not so thought his father. His solicitor-soul was hugely grieved at the young man's apostasy; in 1755 he withdrew his son's allowance, and Burke was left to sink or swim on the frail plank of penny-a-lining. Somehow or other he managed to support thereon not only himself, but a wife, whom he took unto himself in 1756. The same year he published two books, *A Vindication of Natural Society*, and *A Philosophical Inquiry into the Origin of our Ideas on the Sublime and Beautiful*. The *Vindication* is a satire written in the style of Bolingbroke, and attempts to show that the kind of arguments which that writer uses against revealed religion, applies with equal force against "artificial" society,—that is, society as developed and organized in Burke's day. In this early paper we detect that profound distrust of democracy which, in the *Letters on a Regicide Peace*, degenerated into a Toryism worthy of Tax-collector Wordsworth. The *Philosophical Inquiry* is chiefly interesting as having given Lessing some suggestions for his *Laokoön*. Mr. Ruskin thinks poorly of Burke's æsthetics; what would Burke have thought of Mr. Ruskin's political economy?

From 1761 to 1763 Burke was in Ireland as private secretary to Gerard Hamilton, chief secretary to the Lord Lieutenant (Halifax). This was an unlucky connection — for Burke, as Hamilton was a small-minded and ungrateful politician, quite unable to appreciate his subordinate's ability. Burke had better have been in London engaged in the mournful task of writing articles for



*Dodsley's Annual Register*; to this treadmill he returned in 1763, and toiled on for two years, steadily enlarging the circle of his reputation, and beginning to number among his friends such men as Hume, Garrick, Reynolds, Johnson. When Lord Rockingham became Prime Minister, he made Burke his private secretary (June, 1765); in December of this same year Burke entered Parliament for the borough of Wendover, and in January, 1766, delivered his maiden speech. This was a brilliant success; it was an argument in favor of receiving the petition sent to Parliament by the Stamp-Act Congress.

Lord Rockingham was Prime Minister for little more than a year; when he was dismissed, Burke could have held office under his successor, Pitt, but he preferred merely to retain his seat in Parliament, and to follow the political fortunes of his patron. The friendship thus cemented was broken only by Lord Rockingham's death sixteen years later; in his will he directed his executors to destroy all evidences of Burke's indebtedness to him. This indebtedness amounted to thirty thousand pounds. Was ever politician so trusted before!

It is useless to disguise the fact that for nearly the whole of his long political life Burke was overwhelmed by debt. Of the twenty-two thousand pounds which, in 1769, he agreed to pay for an estate in Buckinghamshire, fourteen thousand pounds were not paid until fifteen years after his death, and six thousand pounds were paid by Lord Rockingham. Yet, after all, are these

facts as discreditable to Burke as to the English people to whose service he devoted his life? They looked on with indifference while a corrupt oligarchy polluted the springs of government; they allowed their greatest orator to drink the bitter waters of poverty and debt, while they were paying that elegant vacuity, Horace Walpole, £6,000 a year for being the son of his father.

In the opening pages of his *Thoughts on the Cause of the Present Discontents*, Burke describes the unconstitutional system of a double cabinet<sup>1</sup> under which England was then misgoverned, and to which he attributes the fact "that government is at once dreaded and contemned; that the laws are despoiled of all their respected and salutary terrors; that their inaction is a subject of ridicule, and their exertion of abhorrence; that rank, and office, and title, and all the solemn plausibilities of the world, have lost their reverence and effect; that our foreign politics are as much deranged as our domestic economy; that our dependencies are slackened in their affection, and loosened from their obedience; that we know neither how to yield nor how to enforce; that hardly anything above or below, abroad or at home, is sound and entire; but that disconnection and confusion, in offices, in parties, in families, in Parliament, in the nation, prevail beyond the disorders of any former time — these are facts universally admitted and lamented."

The body of the pamphlet is devoted to the evil effects

<sup>1</sup> Compare the *Kitchen-Cabinet* in Jackson's first Administration.

of this double-cabinet system and to an exposition of Burke's views — ultra-conservative views we should now call them — on the English Constitution; the concluding pages contain as good a defense as has ever been set up for party government.

The ministry of Lord North, then just entering upon power (1770), were annoyed by the shafts of Burke's rhetoric, but were much too thick-skinned to be seriously wounded by them. Perhaps the crassness of their perceptions rendered them impervious to the infiltration of new ideas; perhaps — but whatever the cause, intellectual, physical, or immoral, Burke moved them not. They attempted no reforms, either in home or foreign policy; a few years' persistence in this course resulted in Saratoga, Yorktown, and the loss of the American Colonies. During these years Burke's conduct was beyond praise, and deserves to be held in grateful remembrance of every American: from his seat in Parliament he continually raised the voice of protest and of warning — but it was the voice of one crying in the wilderness. He spoke to a king whose political wrongheadedness faithfully represented the popular will, and to a House of Commons which had no fear of hell before their eyes, save a deficit in the secret-service supplies.<sup>1</sup>

In 1774 Burke was returned to Parliament for Bristol, then the second city in England. This seat he held for six years, failing of re-election because of his refusal to vote in accordance with certain sordid instructions from his constituents. On the 19th of April, 1774, — just

<sup>1</sup> "Purs is the erchedeknes helle," seyde he. — *Canterbury Tales*, 688.

a year before Lexington, — he delivered his speech on *American Taxation*, in which he urged the repeal of the tea-duty; on the 22d of March, 1775, came the speech on *Conciliation with the Coloni* the 3d of April, 1777, the immortal *Letter to' the Sheriffs of Bristol on the Affairs of America*. Of these three compositions Mr. John Morley has written golden words, which it would be absurd for me to try and burnish. He says :<sup>1</sup> —

“It is no exaggeration to say that they compose the most perfect manual in our literature, or in any literature, for one who approaches the study of public affairs, whether for knowledge or for practice. They are an example without fault of all the qualities which the critic, whether a theorist or an actor, of great political situations should strive by night and by day to possess. If the subject with which they deal were less near than it is to our interests and affections as free citizens, these three performances would still abound in the lessons of an incomparable political method. If their subject were as remote as the quarrel between Corinthians and Corcyra, or the war between Rome and the Allies, instead of a conflict to which the world owes the opportunity of the most important of political experiments, we should still have everything to learn from the author's treatment; the vigorous grasp of masses of compressed detail, the wide illumination from great principles of human experience, the strong and masculine feeling for the two great political ends of Justice and Freedom, the large and generous interpretation of expediency, the morality, the vision, the noble temper. If ever, in the fullness of time — and surely the fates of men and literature cannot have it otherwise — Burke becomes one of the half-dozen names of established and universal currency in education and in common books, rising above the waywardness of literary caprice or [of] intellectual fashions, as Shake-

<sup>1</sup> Morley's *Burke*, chapter iv.

speare and Milton and Bacon rise above it, it [*sic*] will be the mastery, the elevation, the wisdom of these far-shining discourses in which the world will in an especial degree recognize the combination of sovereign gifts with beneficent uses."

The surrender of Cornwallis at Yorktown gave the deathblow to the ministry of Lord North, and to the fatuous policy of the king upon which that ministry leaned. Lord Rockingham became Prime Minister for the second time (1782); and Burke, who had been the brains and bone and sinew of the Opposition for sixteen long years, who had kept the Whigs together and shaped their policy, who had written their best pamphlets and made their best speeches, who was allowed to have a more extensive and varied knowledge of public affairs than any man of his day — Burke was omitted from the list of cabinet officers, and was appointed to the comparatively unimportant post of Paymaster of the Forces. Here he ranked as high, perhaps, as an Assistant Secretary of the Treasury would with us.

Lord Rockingham died in July, 1782, having been Prime Minister a brief three months. Burke could have continued in office under his successor, Shelburne; but he preferred to follow Fox into opposition — mistakenly as it appears, for this jar shook to its foundations the loosely cohering Whig party, and awoke from its coma the *corpus vile* of that Court policy which all good men hoped had passed into the stage of cadaveric rigidity. Shelburne's incapacity seemed to prove at first that Burke was right in his action; for in April, 1783, the Shelburne ministry went to pieces. In the new deal —

known as the Coalition Ministry — Burke is reinstated Paymaster of the Forces; Fox becomes a Secretary of State, and — who is that fat, good-natured, little man who sits as Fox's colleague and under whom the mighty Burke is now content to serve? We rub our eyes: surely it is not the much berated Lord North? Yes, it is indeed Lord North. — Politics has at times made strange bed-fellows, but never did administration-blanket cover a more ill-sorted couple than this.

“ O, dumb be passion's stormy rage  
When he who might  
Have lighted up and led his age,  
Falls back in night.”

The life of the Coalition Ministry was short. They fell (December, 1783) attempting to carry a much-needed bill (the work of Burke and Fox) for reforming the government of India. The House of Commons, it is true, supported them by a large majority; but the Lords, encouraged by the back-stairs support of the King, ventured to reject the bill by a majority of nineteen. Fox was dismissed, and the younger Pitt was made Prime Minister; Burke went out with his friend, and never again filled an executive office.

If we ask how it came to pass that the first orator and best-informed politician of his age never attained to a position for which the brains of a Melbourne and a Rosebery have been found sufficient — the answer will be five-fold. 1. Burke was poor, and worse than poor, — he was always in debt. “Give a dog a bad name and hang him” we say, with more force than elegance, and

Burke's reputation doubtless suffered from the common opinion embodied in this homely proverb. 2. In an old society like that of England, where birth and family connections count for much, Burke was severely handicapped by several highly undesirable relatives — a cousin, a brother, a son — who clung to the skirts of the aspiring prophet, and dragged him back as he stood there, with one foot on the step of the fiery chariot that was to whirl him up to the heaven of cabinet responsibility. 3. With increasing years certain infirmities of will and temper grew upon Burke, and more than once overmastered that coolness and rationality of judgment that must be the compass of the successful politician. 4. Burke's mother and wife were Roman Catholics: the discriminations which English law then enforced against members of that church he detested and opposed as heartily as he did the English attempts to tax the Colonies and to plunder the natives of India. This liberal attitude gained him no favor in the eyes of a nation that allowed no Roman Catholic to sit in Parliament until thirty-two years after Burke's death, and that as late as 1870 taxed Roman Catholics to support a Protestant church in Ireland. 5. Burke was an Irishman. I have seldom seen an English book where this is referred to as a reason for Burke's never having been made a Cabinet minister; but to a foreigner who studies the English attitude towards Ireland, this reason seems as potent, perhaps, as any.

. . . . .

To the question of the English rule — or rather misrule — in India, Burke had devoted many years of study.

His moral indignation was roused at what seemed to him the wanton destruction, by Clive and Hastings, of a venerable order of society that had by no means outlived its usefulness. This indignation bore fruit in two magnificent speeches: *On the Nabob of Arcot's Debts* (1785), and *The Impeachment of Warren Hastings* (1788), — the last mentioned best known, perhaps, by that fragment which Macaulay has extracted to set in the frame of his gorgeous rhetoric. Hastings' trial (begun in 1786) dragged on for eight years, and he was finally acquitted, but the moral victory remained with Burke. Writing in 1840, Macaulay said: <sup>1</sup>

"During a long course of years, the English rulers of India, surrounded by allies and enemies whom no engagement could bind, have generally acted with sincerity and uprightness; and the event has proved that sincerity and uprightness are wisdom. . . . No fastness, however strong by art or nature, gives to its inmates a security like that enjoyed by the chief who, passing through the territories of powerful and deadly enemies, is armed with the British guarantee."

The shadows of the Indian mutiny fall athwart this delightful picture and dim its colors considerably, yet the outlines remain true, and are doubtless, on the whole, representative of the facts. The credit of preparing the canvas for these outlines must ever be given to Burke.

No biography of Burke, however brief, can omit all mention of the famous Literary Club of which he was a member. Boswell,<sup>2</sup> writing in 1792, mentions the follow-

<sup>1</sup> *Essay on Lord Clive.*    <sup>2</sup> *Life of Johnson*, chapter xvi.



ing (among others) as having belonged to it: Reynolds, Johnson, Goldsmith, Garrick, Adam Smith, Bishop Percy, Fox, Sheridan, Gibbon, Sir William Jones, Windham, and last (but not, in his own eyes, least) Boswell. In this assemblage of notables, Burke had no superior in conversational powers, and no equal in breadth and depth of general information. Johnson's two sayings about him have been often quoted, but will bear quoting again as imperishable tributes from one great man to another. "Burke is such a man that, if you met him for the first time in the street, where you were stopped by a drove of oxen, and you and he stepped aside to take shelter but for five minutes, he'd talk to you in such a manner that, when you parted, you would say, 'This is an extraordinary man.'" Upon another occasion, when the doctor was ill, some one happened to mention Burke's name. "That fellow calls forth all my powers," said the prostrate sage; "were I to see Burke now, it would kill me." Let us also hear Goldsmith on Burke. Goldsmith at the Club, awkward and shy, twinkled the feeblest star in that splendid constellation; Goldsmith at home (inspired by a goose-quill and a tallow-dip) has thrown a light on Burke's character such as the wit of neither Johnson nor of Burke himself could have emitted:—

"Here lies our good Edmund, whose genius was such,  
We scarcely can praise it or blame it too much;  
Who, born for the universe, narrowed his mind,  
And to party gave up what was meant for mankind;  
Though fraught with all learning, yet straining his throat  
To persuade Tommy Townshend to lend him a vote;

Who, too deep for his hearers, still went on refining,  
And thought of convincing while they thought of dining:  
Though equal to all things, for all things unfit;  
Too nice for a statesman, too proud for a wit;  
For a patriot, too cool; for a drudge, disobedient;  
And too fond of the *right* to pursue the *expedient*.”<sup>1</sup>

There is no doubt that Burke was by temperament and early conviction a Conservative, and that the experiences of his political life had deepened and strengthened this conservatism. It is easy, therefore, to understand the distrust with which he watched the beginnings of the revolutionary movement in France; it is less easy to understand — and impossible to forgive — the vindictive and frenzied violence with which he opposed the development of that movement. In the *Reflections on the French Revolution* (1790), Burke's horror at the unconstitutional proceedings of the French Assembly blinded him to the terrible evils and abuses which made such proceedings necessary, — necessary, if France were not to die, strangled by the bandit-clutch of her monarchy, her aristocracy (alas, poor word!), and her clergy. Burke saw the old order changing and giving place to new; this new order — the democratic — seemed to him no better than a foundation of sand whereon to rear the temple of society. He doubtless thought, therefore, that he was doing God service when he called upon the English to wage a war of extermination and revenge upon France, or, to use his own words, “I speak it emphatically and with a desire that it should

<sup>1</sup> Goldsmith's *Retaliation*, 29-42.

be marked [we must contend] in a *long war*.”<sup>1</sup> This sentence Buckle very justly characterizes as “the most horrible ever penned by an English politician.” It is sad and almost impossible to believe that this is the same Burke who wrote, in 1777: “The poorest being that crawls on earth, contending to save itself from injustice and oppression, is an object respectable in the eyes of God and man.” And again: “*General rebellions and revolts of a whole people never were encouraged, now or at any time. They are always provoked.*”

Burke's attitude towards the French Revolution brought him many mortifications, among them the approval of King George. It cost him also the friendship of Fox, Sheridan, and, indeed, one might almost say of nearly every public man in England whose friendship was worth having. As time went on his feeling grew more and more intense; from the measured tone of dignified argumentation he passed to the uncontrollable scream of passion; in the *Letter to a Member of the National Assembly* (1791), and in the *Letters on a Regicide Peace* (some of them not published till after his death), we find passages worthy the worst days of that Irish Parliament of whom Swift so touchingly wrote:—

“May their God, the Devil, confound them!”

Fox declared, with equal wit and wisdom, that it was lucky for Burke that he took the royal side in the Revolution; had he taken the other side, his violence would certainly have got him hanged.

<sup>1</sup> The *Italics* are Burke's.

In 1794 Burke, then sixty-six years of age, and feeling his strength failing, retired from the House of Commons. His affairs being greatly embarrassed, he accepted a pension of £2,500 a year from the Crown. Thirty years of disinterested public service had well deserved this reward ; but the usual cry of corruption was raised, and by a person ill-qualified for the task, — the Duke of Bedford. To him Burke replied in the *Letter to a Noble Lord* (1795), the last of his writings that can be read with pleasure, or that can count for his literary reputation.

Burke died at his country-seat of Beaconsfield, in 1797. His friend-and-adversary Fox desired for him a public funeral and a tomb in Westminster, but according to Burke's express wish his body was laid to rest in the quiet country church near his own home.

Fortunate would it have been for Burke had he died in the zenith of his powers, — say, when was acknowledged that American Independence for which he contended so nobly. Then, when we reflected upon the high morality, the lofty emotion, the luminous wisdom, the fine imagination, the powerful expression of his work — then might we have been able to feel as felt Macaulay when he exclaimed : “Burke: the greatest man since Milton !” Now, when we gaze upon the melancholy decline of those closing years of Burke's life — now our thought is rather, —

“Shakespeare was of us, Milton was for us,  
Burns, Shelley were with us, — they watch from their graves!  
He alone breaks from the van and the freemen,  
— He alone sinks to the rear and the slaves !”

## THE BEST BOOKS ABOUT BURKE.

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JOHN MORLEY. *Burke (in the English Men of Letters Series)*. The author of this book exhibits the rare phenomenon of a politician with fine literary training. It would be difficult, therefore, to imagine any one better fitted to treat of Burke; equally difficult would it be to find a biography where (in spite of a certain prolixity of style) the accomplishment better fulfills the expectation.

JOHN MORLEY. *Burke: An Historical Study*. The substance of this book will also be found in a series of articles in the *Fortnightly Review*, vols. vii. and viii. It deals only with the political side of Burke; some of the material is used over again in the biography above referred to.

LESLIE STEPHEN. *History of English Thought in the Eighteenth Century*; vol. ii., chapter x. Burke occupies a prominent place in this chapter, which traces the history of political theories in England from the time of Locke to that of the French Revolution.

BUCKLE. *History of Civilization in England*; vol. i., chapter vii., pp. 325-362 (Appleton's edition). Buckle brings together in sharp contrast some of the noble declarations for liberty in Burke's earlier writings and his ferocious denunciations of liberty in his later writings. His criticism of Burke is severe, but hardly more severe than the occasion warrants. Burke's violence he attributes to senility; Mr. Morley (contrary to the evidence, it seems to me) ridicules this theory.

The teacher who has mastered these four studies will find little of value in the critiques of earlier writers upon Burke. Rather, then, as literary curiosities than as substantial contributions to thought, are mentioned the following: *De Quincey's Essays on Rhetoric and on Schlosser's Literary History of the Eighteenth Century*; *Hazlitt's Essay on the Character of Burke*; *Sir Joseph Napier's Lecture on Burke*. References to Burke will be found scattered through *Boswell*, *The Diary of Madame D'Arblay*, and *Macaulay's Essays*; consult the Indexes to these works.

The latest writer on Burke is *Augustin Birrell* in his *Obiter Dicta, Second Series*. While it is impossible to take Mr. Birrell seriously as a critic, he is certainly a delightful humorist, and should be read as such.

## NOTE ON THE ENGLISH PARLIAMENTARY SYSTEM.

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THE English system of Parliamentary Government differs in so many ways from our system of Congressional Government, that the young student of Burke may find it helpful to have the details of the former briefly explained here.

In the English system there is no such divorce between the Legislative and the Executive as the constitution-makers effected in our system. The Cabinet (Executive) consists of some twelve or fifteen officials chosen from the political party that commands a majority in the House of Commons (Legislative); the cabinet, therefore, is practically a Committee of the House of Commons. Members of the Cabinet may be selected from the House of Lords,—a few invariably are; but it is the political complexion of the House of Commons that determines the make-up of the Cabinet. The Prime Minister is appointed nominally by the Crown; practically he is selected by the consensus of the influential politicians in his own party. The other members of the Cabinet are also appointed nominally by the Crown, but practically by the Prime Minister, after consultation with his party friends.

Upon the Cabinet rests the responsibility of initiating all legislation necessary for the successful administration of government. Authority and responsibility are thus centered in one and the same party; this excellent principle is unfortunately lacking (except by rare chance) in our system. When the Cabinet fails to carry through the House of Commons any important measure, one of two courses is open to them: 1. They may resign at once, and hand over the responsibility of administration to the party that has beaten them by obtaining a majority vote in the House of Commons. 2. If the Cabinet feel that the vote in the House does not represent the will of the nation, they will advise (i.e., authoritatively request) the Crown to dissolve Parliament and issue writs for a new election. If the new election results in leaving the ministerial party still in minority, they will at once resign and hand over their administrative duties to the Opposition.

Every member of the Cabinet must be a member of the House of Lords or of the House of Commons, as he is expected to be present at the sessions of the Houses in order to answer questions which may be asked him by any member on matters of public policy. Yet no member of the House of Commons may accept an office from the Crown without thereby losing his seat as member of the House.<sup>1</sup> Hence we behold the curious spectacle of a man being elected to the House of Commons, accepting a Cabinet office, and immediately going back to his constituency for re-election. Should he fail of this

<sup>1</sup> Compare the Constitution of the United States, Article I., Section vi., § 2.



re-election, he is, of course, ineligible for the Cabinet.

Such, in very meager outline, is the working of the English system to-day. The Crown has little power, and the Lords have sunk into comparative insignificance. No ministry would think of resigning on account of an adverse vote in that House. In Burke's time the Crown exercised an active and almost invariably mischievous influence. If the policy of the ministers was displeasing to the King, he considered himself justified in dismissing them whenever he could obtain a vote adverse to them in either House. For an instance of this, see the account of the fall of the Coalition Ministry in 1783 (p. xiv. in the biographical sketch of Burke).



## SPEECH OF EDMUND BURKE

ON MOVING HIS RESOLUTIONS FOR CONCILIATION WITH THE  
COLONIES, MARCH 22, 1775.

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I HOPE, Sir, that, notwithstanding the austerity of the Chair, your good-nature will incline you to some degree of indulgence towards human frailty. You will not think it unnatural that those who have an object depending, which strongly engages their hopes and fears, 5 should be somewhat inclined to superstition. As I came into the House full of anxiety about the event of my motion, I found, to my infinite surprise, that the grand penal Bill, by which we had passed sentence on the trade and sustenance of America, is to be returned 10 to us from the other House. I do confess I could not help looking on this event as a fortunate omen. I look upon it as a sort of providential favor, by which we are put once more in possession of our deliberative capacity, upon a business so very questionable in its 15 nature, so very uncertain in its issue. By the return of this Bill, which seemed to have taken its flight forever, we are at this very instant nearly as free to choose a plan for our American Government as we were on the

first day of the session. If, Sir, we incline to the side of conciliation, we are not at all embarrassed (unless we please to make ourselves so) by any incongruous mixture of coercion and restraint. We are therefore called upon, as it were by a superior warning voice, again to attend to America; to attend to the whole of it together, and to review the subject with an unusual degree of care and calmness.

Surely it is an awful subject; or there is none so on this side of the grave. When I first had the honor of a seat in this House, the affairs of that continent pressed themselves upon us, as the most important and most delicate object of Parliamentary attention. My little share in this great deliberation oppressed me. I found myself a partaker in a very high trust; and having no sort of reason to rely on the strength of my natural abilities for the proper execution of that trust, I was obliged to take more than common pains to instruct myself in everything which relates to our Colonies. I was not less under the necessity of forming some fixed ideas concerning the general policy of the British Empire. Something of this sort seemed to be indispensable, in order, amidst so vast a fluctuation of passions and opinions, to center my thoughts, to ballast my conduct, to preserve me from being blown about by every wind of fashionable doctrine. I really did not think it safe or manly to have fresh principles to seek upon every fresh mail which should arrive from America.

At that period I had the fortune to find myself in *perfect concurrence* with a large majority in this House.

Bowing under that high authority, and penetrated with the sharpness and strength of that early impression, I have continued ever since, without the least deviation, in my original sentiments. Whether this be owing to an obstinate perseverance in error, or to a religious adherence to what appears to me truth and reason, it is in your equity to judge.

Sir, Parliament having an enlarged view of objects, made, during this interval, more frequent changes in their sentiments and their conduct, than could be justified in a particular person upon the contracted scale of private information. But though I do not hazard anything approaching to a censure on the motives of former Parliaments to all those alterations, one fact is undoubted, — that under them the state of America has been kept in continual agitation. Everything administered as remedy to the public complaint, if it did not produce, was at least followed by, a heightening of the distemper; until, by a variety of experiments, that important country has been brought into her present situation; — a situation which I will not miscall, which I dare not name, which I scarcely know how to comprehend in the terms of any description.

In this posture, Sir, things stood at the beginning of the session. About that time a worthy member of great Parliamentary experience, who, in the year 1766, filled the chair of the American Committee with much ability, took me aside; and, lamenting the present aspect of our politics, told me, things were come to such a pass, that our former methods of proceeding in the

House would be no longer tolerated. That the public tribunal (never too indulgent to a long and unsuccessful opposition) would now scrutinize our conduct with unusual severity. That the very vicissitudes and shift-  
5 ings of Ministerial measures, instead of convicting their authors of inconstancy and want of system, would be taken as an occasion of charging us with a predetermined discontent, which nothing could satisfy; whilst we accused every measure of vigor as cruel, and every  
10 proposal of lenity as weak and irresolute. The public, he said, would not have patience to see us play the game out with our adversaries: we must produce our hand. It would be expected that those who for many years had been active in such affairs should show that  
15 they had formed some clear and decided idea of the principles of colony government, and were capable of drawing out something like a platform of the ground which might be laid for future and permanent tranquillity.

20 I felt the truth of what my honorable friend represented, but I felt my situation too. His application might have been made with far greater propriety to many other gentlemen. No man was indeed ever better disposed, or worse qualified, for such an undertaking,  
25 than myself. Though I gave so far into his opinion that I immediately threw my thoughts into a sort of Parliamentary form, I was by no means equally ready to produce them. It generally argues some degree of natural impotence of mind, or some want of knowledge  
*of the world*, to hazard plans of government, except

from a seat of authority. Propositions are made, not only ineffectually, but somewhat disreputably, when the minds of men are not properly disposed for their reception; and for my part, I am not ambitious of ridicule, not absolutely a candidate for disgrace.

Besides, Sir, to speak the plain truth, I have in general no very exalted opinion of the virtue of paper government, nor of any politics in which the plan is to be wholly separated from the execution. But when I saw that anger and violence prevailed every day more and more, and that things were hastening towards an incurable alienation of our Colonies, I confess my caution gave way. I felt this as one of those few moments in which decorum yields to a higher duty. Public calamity is a mighty leveler; and there are occasions when any, even the slightest, chance of doing good must be laid hold on, even by the most inconsiderable person.

To restore order and repose to an empire so great and so distracted as ours, is, merely in the attempt, an undertaking that would ennoble the flights of the highest genius, and obtain pardon for the efforts of the meanest understanding. Struggling a good while with these thoughts, by degrees I felt myself more firm. I derived, at length, some confidence from what in other circumstances usually produces timidity. I grew less anxious, even from the idea of my own insignificance. For, judging of what you are, by what you ought to be, I persuaded myself that you would not reject a reasonable proposition, because it had nothing but its reason to recommend it. On the other hand, being totally desti-

5  
*Robt. 15*  
*cons. 77*  
*Caroline*

tute of all shadow of influence, natural or adventitious, I was very sure, that, if my proposition were futile or dangerous, if it were weakly conceived or improperly timed, there was nothing exterior to it, of power to awe, 5 dazzle, or delude you. You will see it just as it is, and you will treat it just as it deserves.

The proposition is Peace. Not Peace through the medium of war; not Peace to be hunted through the labyrinth of intricate and endless negotiations; not 10 Peace to arise out of universal discord, fomented, from principle, in all parts of the empire; not Peace to depend on the juridical determination of perplexing questions, or the precise marking the shadowy boundaries of a complex government. It is simple Peace, sought 15 in its natural course and in its ordinary haunts; it is Peace sought in the spirit of Peace and laid in principles purely pacific. I propose, by removing the ground of the difference, and by restoring the *former unsuspecting confidence of the Colonies in the Mother Country*, to 20 give permanent satisfaction to your people, and (far from a scheme of ruling by discord) to reconcile them to each other in the same act, and by the bond of the very same interest which reconciles them to British Government.

25 My idea is nothing more. Refined policy ever has been the parent of confusion, and ever will be so, as long as the world endures. Plain good intention, which is as easily discovered at the first view, as fraud is surely detected at last, is, let me say, of no mean force in the government of mankind. Genuine simplicity of heart



is a healing and cementing principle. My plan, therefore, being formed upon the most simple grounds imaginable, may disappoint some people, when they hear it. It has nothing to recommend it to the pruriency of curious ears. There is nothing at all new and captivat- 5 ing in it. It has nothing of the splendor of the project which has been lately laid upon your table by the Noble Lord in the Blue Ribbon. It does not propose to fill your lobby with squabbling Colony agents, who will require the interposition of your mace, at every instant, 10 to keep the peace amongst them. It does not institute a magnificent auction of finance, where captivated provinces come to general ransom by bidding against each other, until you knock down the hammer, and determine a proportion of payments beyond all the powers of 15 algebra to equalize and settle.

The plan which I shall presume to suggest derives, however, one great advantage from the proposition and registry of that Noble Lord's project. The idea of conciliation is admissible. First, the House, in accepting 20 the resolution moved by the Noble Lord, has admitted, notwithstanding the menacing front of our Address, notwithstanding our heavy Bills of Pains and Penalties, that we do not think ourselves precluded from all ideas of free grace and bounty. 25

The House has gone farther; it has declared conciliation admissible, *previous* to any submission on the part of America. It has even shot a good deal beyond that mark, and has admitted that the complaints of our former mode of exerting the right of taxation were not

wholly unfounded. That right thus exerted is allowed to have something reprehensible in it, something unwise or something grievous, since, in the midst of our heat and resentment, we, of ourselves, have proposed  
5 a capital alteration; and, in order to get rid of what seemed so very exceptionable, have instituted a mode that is altogether new; one that is, indeed, wholly alien from all the ancient methods and forms of Parliament.

The *principle* of this proceeding is large enough for  
10 my purpose. The means proposed by the Noble Lord for carrying his ideas into execution, I think, indeed, are very indifferently suited to the end, and this I shall endeavor to show you before I sit down. But for the present I take my ground on the admitted prin-  
15 ciple. I mean to give peace. Peace implies reconciliation; and, where there has been a material dispute, reconciliation does, in a manner, always imply concession on the one part or on the other. In this state of things I make no difficulty in affirming that the pro-  
20 posal ought to originate from us. Great and acknowledged force is not impaired, either in effect or in opinion, by an unwillingness to exert itself. The superior power may offer peace with honor and with safety. Such an offer from such a power will be  
25 attributed to magnanimity. But the concessions of the weak are the concessions of fear. When such a one is disarmed, he is wholly at the mercy of his superior; and he loses forever that time and those chances which, as they happen to all men, are the strength and re-  
sources of all inferior power.

The capital leading questions on which you must this day decide are these two : First, whether you ought to concede ; and secondly, what your concession ought to be. On the first of these questions we have gained (as I have just taken the liberty of observing to you) some 5 ground. But I am sensible that a good deal more is still to be done. Indeed, Sir, to enable us to determine both on the one and the other of these great questions with a firm and precise judgment, /I think it may be necessary to consider distinctly the true nature and the 10 peculiar circumstances of the object which we have before us. Because after all our struggle, whether we will or not, we must govern America according to that nature and to those circumstances, and not according to our own imaginations, nor according to abstract ideas of 15 right ; by no means according to mere general theories of government, the resort to which appears to me in our present situation, no better than arrant trifling. I shall therefore endeavor, with your leave, to lay before you some of the most material of these circumstances in as 20 full and as clear a manner as I am able to state them.

16 The first thing that we have to consider with regard to the nature of the object is the number of people in the Colonies. I have taken for some years a good deal of pains on that point. I can by no calculation justify 25 myself in placing the number below two millions of inhabitants of our own European blood and color ; besides at least five hundred thousand others, who form no inconsiderable part of the strength and opulence of

the whole. | This, Sir, is, I believe, about the true number. There is no occasion to exaggerate, where plain truth is of so much weight and importance. But whether I put the present numbers too high or too low, 5 is a matter of little moment. Such is the strength with which population shoots in that part of the world that, state the numbers as high as we will, whilst the dispute continues the exaggeration ends. Whilst we are discussing any given magnitude, they are grown to it. Whilst 10 we spend our time in deliberating on the mode of governing two millions, we shall find we have millions more to manage. Your children do not grow faster from infancy to manhood, than they spread from families to communities, and from villages to nations.

15 I put this consideration of the present and the growing numbers in the front of our deliberation; because, Sir, this consideration will make it evident to a blunter discernment than yours, that no partial, narrow, contracted, pinched, occasional system will be at all suitable 20 to such an object. It will show you that it is not to be considered as one of those *minima* which are out of the eye and consideration of the law; not a paltry excrescence of the state; not a mean dependant, who may be neglected with little damage, and provoked with little 25 danger. It will prove that some degree of care and caution is required in the handling such an object; it will show that you ought not, in reason, to trifle with so large a mass of the interests and feelings of the human race. You could at no time do so without guilt; and be assured you will not be able to do it long with impunity.

17 But the population of this country, the great and growing population, though a very important consideration, will lose much of its weight, if not combined with other circumstances. The commerce of your Colonies is out of all proportion beyond the numbers of the 5 people. This ground of their commerce indeed has been trod some days ago, and with great ability, by a distinguished person, at your bar. This gentleman, after thirty-five years — it is so long since he first appeared at the same place to plead for the commerce of 10 Great Britain — has come again before you to plead the same cause, without any other effect of time than that, to the fire of imagination and extent of erudition which even then marked him as one of the first literary characters of his age, he has added a consummate knowledge 15 in the commercial interest of his country, formed by a long course of enlightened and discriminating experience.

18 Sir, I should be inexcusable in coming after such a person with any detail, if a great part of the members 20 who now fill the House had not the misfortune to be absent when he appeared at your bar. Besides, Sir, I propose to take the matter at periods of time somewhat different from his. There is, if I mistake not, a point of view, from whence, if you will look at the subject, 25 it is impossible that it should not make an impression upon you.

19 I have in my hand two accounts: one a comparative state of the export trade of England to its Colonies, as it stood in the year 1704, and as it stood in the year

- 1772; the other a state of the export trade of this country to its Colonies alone, as it stood in 1772, compared with the whole trade of England to all parts of the world (the Colonies included) in the year 1704.
- 5 They are from good vouchers; the latter period from the accounts on your table, the earlier from an original manuscript of Davenant, who first established the Inspector-General's office, which has been ever since his time so abundant a source of Parliamentary information.
- 10 ¶ The export trade to the Colonies consists of three great branches:—the African, which, terminating almost wholly in the Colonies, must be put to the account of their commerce; the West Indian; and the North American. All these are so interwoven that the at-
- 15 tempt to separate them would tear to pieces the contexture of the whole, and if not entirely destroy, would very much depreciate the value of all the parts. I therefore consider these three denominations to be, what in effect they are, one trade.
- 20 ¶ The trade to the Colonies, taken on the export side, at the beginning of this century, that is, in the year 1704, stood thus:—

| Exports to North America, and the West |          |
|--|----------|
| Indies . . . . .                       | £483,265 |
| 25 To Africa . . . . .                 | 86,665   |
|  | <hr/>    |
|  | £569,930 |

¶ In the year 1772, which I take as a middle year between the highest and lowest of those lately laid on your table, the account was as follows:—

# ON CONCILIATION WITH THE COLONIES. 13

|                                       |                   |   |
|---------------------------------------|-------------------|---|
| To North America, and the West        |                   |   |
| Indies . . . . .                      | £4,791,734        |   |
| To Africa . . . . .                   | 866,398           |   |
| To which, if you add the export trade |                   |   |
| from Scotland, which had in 1704 no   |                   | 5 |
| existence . . . . .                   | 364,000           |   |
|                                       | <u>£6,022,132</u> |   |

From five hundred and odd thousand, it has grown to six millions. It has increased no less than twelvefold. This is the state of the Colony trade, as compared with 10 itself at these two periods, within this century; and this is matter for meditation. But this is not all. Examine my second account. See how the export trade to the Colonies alone in 1772 stood in the other point of view, that is, as compared to the whole trade of England 15 in 1704.

|                                       |                  |    |
|---------------------------------------|------------------|----|
| The whole export trade of England,    |                  |    |
| including that to the Colonies, in    |                  |    |
| 1704 . . . . .                        | £6,509,000       |    |
| Export to the Colonies alone, in 1772 | <u>6,024,000</u> | 20 |
| Difference,                           | <u>£485,000</u>  |    |

24 The trade with America alone is now within less than £500,000 of being equal to what this great commercial nation, England, carried on at the beginning of this century with the whole world! If I had taken the 25 largest year of those on your table, it would rather have exceeded. But, it will be said, is not this American trade an unnatural protuberance, that has drawn

the juices from the rest of the body? The reverse  
 It is the very food that has nourished every other part  
 into its present magnitude. Our general trade has been  
 greatly augmented; and augmented more or less in  
 5 almost every part to which it ever extended; but with  
 this material difference, that of the six millions which  
 in the beginning of the century constituted the whole  
 mass of our export commerce, the Colony trade was but  
 one-twelfth part; it is now (as a part of sixteen mil-  
 10 lions) considerably more than a third of the whole.  
 This is the relative proportion of the importance of the  
 Colonies at these two periods; and all reasoning con-  
 cerning our mode of treating them must have this pro-  
 portion as its basis, or it is a reasoning weak, rotten,  
 15 and sophistical.

25 Mr. Speaker, I cannot prevail on myself to hurry over  
 this great consideration. *It is good for us to be here.*  
 We stand where we have an immense view of what is,  
 and what is past. Clouds, indeed, and darkness rest  
 20 upon the future. Let us, however, before we descend  
 from this noble eminence, reflect that this growth of  
 our national prosperity has happened within the short  
 period of the life of man. It has happened within  
 sixty-eight years. There are those alive whose memory  
 25 might touch the two extremities. For instance, my  
 Lord Bathurst might remember all the stages of the  
 progress. He was in 1704 of an age at least to be made  
 to comprehend such things. He was then old enough  
*acta parentum jam legere, et quæ sit potuit cognoscere*  
*virtus.* Suppose, Sir, that the angel of this auspicious



youth, foreseeing the many virtues which made him one of the most amiable, as he is one of the most fortunate, men of his age, had opened to him in vision, that when, in the fourth generation the third Prince of the House of Brunswick had sat twelve years on the throne of that nation, which (by the happy issue of moderate and healing counsels) was to be made Great Britain, he should see his son, Lord Chancellor of England, turn back the current of hereditary dignity to its fountain, and raise him to a higher rank of peerage, whilst he enriched the family with a new one—if amidst these bright and happy scenes of domestic honor and prosperity, that angel should have drawn up the curtain, and unfolded the rising glories of his country, and, whilst he was gazing with admiration on the then commercial grandeur of England, the genius should point out to him a little speck, scarcely visible in the mass of the national interest, a small seminal principle rather than a formed body, and should tell him: “Young man, there is America—which at this day serves for little more than to amuse you with stories of savage men, and uncouth manners; yet shall, before you taste of death, show itself equal to the whole of that commerce which now attracts the envy of the world. Whatever England has been growing to by a progressive increase of improvement, brought in by varieties of people, by succession of civilizing conquests and civilizing settlements in a series of seventeen hundred years, you shall see as much added to her by America in the course of a single life!” If this state

of his country had been foretold to him, would it not require all the sanguine credulity of youth, and all the fervid glow of enthusiasm, to make him believe it? Fortunate man, he has lived to see it! Fortunate indeed, if he lives to see nothing that shall vary the prospect, and cloud the setting of his day!

Excuse me, Sir, if, turning from such thoughts, I resume this comparative view once more. You have seen it on a large scale; look at it on a small one. I will point out to your attention a particular instance of it in the single province of Pennsylvania. In the year 1704, that province called for £11,459 in value of your commodities, native and foreign. This was the whole. What did it demand in 1772? Why, nearly fifty times as much; for in that year the export to Pennsylvania was £507,909, nearly equal to the export to all the Colonies together in the first period.

I choose, Sir, to enter into these minute and particular details, because generalities, which in all other cases are apt to heighten and raise the subject, have here a tendency to sink it. When we speak of the commerce with our Colonies, fiction lags after truth, invention is unfruitful, and imagination cold and barren.

So far, Sir, as to the importance of the object, in view of its commerce, as concerned in the exports from England. If I were to detail the imports, I could show how many enjoyments they procure, which deceive the burthen of life; how many materials which invigorate the springs of national industry, and extend and animate every part of our foreign and domestic commerce. This

would be a curious subject indeed; but I must prescribe bounds to myself in a matter so vast and various.

29 I pass therefore to the Colonies in another point of view, their agriculture. This they have prosecuted with such a spirit, that, besides feeding plentifully 5 their own growing multitude, their annual export of grain, comprehending rice, has some years ago exceeded a million in value. Of their last harvest, I am persuaded they will export much more. At the beginning of the century some of these colonies imported corn 10 X from the mother country. For some time past, the Old World has been fed from the New. The scarcity which you have felt would have been a desolating famine, if this child of your old age, with a true filial piety, with a Roman charity, had not put the full breast of its 15 youthful exuberance to the mouth of its exhausted parent.

30 As to the wealth which the Colonies have drawn from the sea by their fisheries, you had all that matter fully opened at your bar. You surely thought those acquisitions of value, for they seemed even to excite your envy; and yet the spirit by which that enterprising employment has been exercised, ought rather, in my opinion, to have raised your esteem and admiration. And pray, Sir, what in the world is equal to it? Pass by the 25 other parts, and look at the manner in which the people of New England have of late carried on the whale fishery. Whilst we follow them among the tumbling moun-

tains of ice, and behold them penetrating into the deepest frozen recesses of Hudson's Bay and Davis' Straits, whilst we are looking for them beneath the Arctic Circle, we hear that they have pierced into the opposite  
5 region of polar cold, that they are at the antipodes, and engaged under the frozen Serpent of the south. Falkland Island, which seemed too remote and romantic an object for the grasp of national ambition, is but a stage and resting-place in the progress of their victorious in-  
10 dustry. Nor is the equinoctial heat more discouraging to them than the accumulated winter of both the poles. We know that whilst some of them draw the line and strike the harpoon on the coast of Africa, others run the longitude, and pursue their gigantic game along the  
15 coast of Brazil. No sea but what is vexed by their fisheries. No climate that is not witness to their toils. Neither the perseverance of Holland, nor the activity of France, nor the dexterous and firm sagacity of English enterprise, ever carried this most perilous mode of  
20 hardy industry to the extent to which it has been pushed by this recent people; a people who are still, as it were, but in the gristle, and not yet hardened into the bone of manhood. When I contemplate these things; when I know that the Colonies in general  
25 owe little or nothing to any care of ours, and that they are not squeezed into this happy form by the constraints of watchful and suspicious government, but that, through a wise and salutary neglect, a generous nature has been suffered to take her own way to perfection; when I reflect upon these effects, when I see

how profitable they have been to us, I feel all the pride of power sink, and all presumption in the wisdom of human contrivances melt and die away within me. My rigor relents. I pardon something to the spirit of liberty.

*Quarrel  
fair*

I am sensible, Sir, that all which I have asserted in my detail, is admitted in the gross; but that quite a different conclusion is drawn from it. America, gentlemen say, is a noble object. It is an object well worth fighting for. Certainly it is, if fighting a people be the best way of gaining them. Gentlemen in this respect will be led to their choice of means by their complexions and their habits. Those who understand the military art, will of course have some predilection for it. Those who wield the thunder of the state, may have more confidence in the efficacy of arms. But I confess, possibly for want of this knowledge, my opinion is much more in favor of prudent management, than of force; considering force not as an odious, but a feeble instrument, for preserving a people so numerous, so active, so growing, so spirited as this, in a profitable and subordinate connection with us.

32 First, Sir, permit me to observe that the use of force alone is but temporary. It may subdue for a moment, but it does not remove the necessity of subduing again; and a nation is not governed which is perpetually to be conquered.

33 My next objection is its uncertainty. Terror is not always the effect of force; and an armament is not a victory. If you do not succeed, you are without resource;

for, conciliation failing, force remains ; but, force failing,  
 no further hope of reconciliation is left. Power and  
 authority are sometimes bought by kindness ; but they  
 can never be begged as alms by an impoverished and  
 5 defeated violence.

3 A further objection to force is, that you *impair the*  
*object* by your very endeavors to preserve it. The thing  
 you fought for is not the thing which you recover, but  
 depreciated, sunk, wasted, and consumed in the contest.

10 Nothing less will content me than *whole America*. I do  
 not choose to consume its strength along with our own ;  
 because in all parts it is the British strength that I con-  
 sume. I do not choose to be caught by a foreign enemy  
 at the end of this exhausting conflict, and still less in  
 15 the midst of it. I may escape, but I can make no in-  
 surance against such an event. Let me add, that I do  
 not choose wholly to break the American spirit, because  
 it is the spirit that has made the country.

4 Lastly, we have no sort of *experience* in favor of force  
 20 as an instrument in the rule of our Colonies. Their  
 growth and their utility have been owing to methods  
 altogether different. Our ancient indulgence has been  
 said to be pursued to a fault. It may be so. But we  
 know, if feeling is evidence, that our fault was more tol-  
 25 erable than our attempt to mend it, and our sin far more  
 salutary than our penitence.

These, Sir, are my reasons for not entertaining that  
 high opinion of untried force, by which many gentlemen,  
*for whose sentiments* in other particulars I have great

respect, seem to be so greatly captivated. But there is still behind a third consideration concerning this object, which serves to determine my opinion on the sort of policy which ought to be pursued in the management of America, even more than its population and its commerce — I mean its *temper and character*.

31 (In this character of the Americans, a love of freedom is the predominating feature which marks and distinguishes the whole; and as an ardent is always a jealous affection, your Colonies become suspicious, restive, and 10 untractable, whenever they see the least attempt to wrest from them by force, or shuffle from them by chicane, what they think the only advantage worth living for. This fierce spirit of liberty is stronger in the English Colonies probably than in any other people of the earth, 15 and this from a great variety of powerful causes; which, to understand the true temper of their minds, and the direction which this spirit takes, it will not be amiss to lay open somewhat more largely.

26 First, the people of the Colonies are descendants of 20 Englishmen. England, Sir, is a nation which still I hope respects, and formerly adored, her freedom. The Colonists emigrated from you when this part of your character was most predominant, and they took this bias and direction the moment they parted from your 25 hands. They are therefore not only devoted to liberty, but to liberty according to English ideas and on English principles. Abstract liberty, like other mere abstractions, is not to be found. Liberty inheres in some sensible object; and every nation has formed to itself some

favorite point, which by way of eminence becomes the criterion of their happiness. It happened, you know, Sir, that the great contests for freedom in this country were from the earliest times chiefly upon the question of  
5 taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates, or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On  
10 this point of taxes the ablest pens and most eloquent tongues have been exercised, the greatest spirits have acted and suffered. In order to give the fullest satisfaction concerning the importance of this point, it was not only necessary for those who in argument defended the  
15 excellence of the English Constitution, to insist on this privilege of granting money as a dry point of fact, and to prove that the right had been acknowledged in ancient parchments and blind usages, to reside in a certain body called a House of Commons. They went  
20 much farther; they attempted to prove, and they succeeded, that in theory it ought to be so, from the particular nature of a House of Commons, as an immediate representative of the people; whether the old records had delivered this oracle or not. They took infinite  
25 pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty can subsist. The Colonies draw from you, as with their life-blood, these *ideas* and principles. Their love of liberty, as with you,



fixed and attached on this specific point of taxing. Liberty might be safe, or might be endangered, in twenty other particulars, without their being much pleased or alarmed. Here they felt its pulse; and as they found that beat, they thought themselves sick or sound. I do not say whether they were right or wrong in applying your general arguments to their own case. It is not easy indeed to make a monopoly of theorems and corollaries. The fact is, that they did thus apply those general arguments; and your mode of governing them, 10 whether through lenity or indolence, through wisdom or mistake, confirmed them in the imagination, that they, as well as you, had an interest in these common principles.

¶ They were farther confirmed in this pleasing error 15 by the form of their provincial legislative assemblies. Their governments are popular in a high degree: some are merely popular; in all, the popular representative is the most weighty; and this share of the people in their ordinary government never fails to inspire them 20 with lofty sentiments, and with a strong aversion from whatever tends to deprive them of their chief importance.

¶ If anything were wanting to this necessary operation of the form of government, religion would have given 25 it a complete effect. Religion, always a principle of energy, in this new people is no way worn out or impaired; and their mode of professing it is also one main cause of this free spirit. The people are Protestants; and of that kind which is the most adverse to all im-

plicit submission of mind and opinion. This is a persuasion not only favorable to liberty, but built upon it. I do not think, Sir, that the reason of this averseness in the dissenting churches, from all that looks like absolute government, is so much to be sought in their religious tenets, as in their history. Every one knows that the Roman Catholic religion is at least coeval with most of the governments where it prevails; that it has generally gone hand in hand with them, and received great favor and every kind of support from authority. The Church of England, too, was formed from her cradle under the nursing care of regular government. But the dissenting interests have sprung up in direct opposition to all the ordinary powers of the world, and could justify that opposition only on a strong claim to natural liberty. Their very existence depended on the powerful and unremitted assertion of that claim. All Protestantism, even the most cold and passive, is a sort of dissent. But the religion most prevalent in our Northern Colonies is a refinement on the principle of resistance; it is the dissidence of dissent, and the Protestantism of the Protestant religion. This religion, under a variety of denominations agreeing in nothing but in the communion of the spirit of liberty, is predominant in most of the Northern Provinces; where the Church of England, notwithstanding its legal rights, is in reality no more than a sort of private sect, not composing, most probably, the tenth of the people. The colonists left England when this spirit was high, and in the emigrants was the highest of all; and even that stream of for-

eigners, which has been constantly flowing into these Colonies, has, for the greatest part, been composed of dissenters from the establishments of their several countries, who have brought with them a temper and character far from alien to that of the people with whom they 5 mixed.

4| Sir, I can perceive by their manner that some gentlemen object to the latitude of this description; because in the Southern Colonies the Church of England forms a large body and has a regular establishment. It is 10 certainly true. There is, however, a circumstance attending these Colonies, which, in my opinion, fully counterbalances this difference, and makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas 15 they have a vast multitude of slaves. Where this is the case in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, that freedom, 20 as in countries where it is a common blessing, and as broad and general as the air, may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks, amongst them, like something that is more noble and liberal. I do not mean, Sir, to 25 commend the superior morality of this sentiment, which has at least as much pride as virtue in it; but I cannot alter the nature of man. The fact is so; and these people of the Southern Colonies are much more strongly, and with a higher and more stubborn spirit, attached

to liberty, than those to the northward. Such were all the ancient commonwealths; such were our Gothic ancestors; such in our days were the Poles; and such will be all masters of slaves who are not slaves themselves.

5 In such a people, the haughtiness of domination combines with the spirit of freedom, fortifies it, and renders it invincible.

12 Permit me, Sir, to add another circumstance in our Colonies, which contributes no mean part towards the  
10 growth and effect of this untractable spirit. I mean their education. In no country perhaps in the world is the law so general a study. The profession itself is numerous and powerful, and in most provinces it takes the lead. The greater number of the deputies sent to  
15 the Congress were lawyers. But all who read (and most do read) endeavor to obtain some smattering in that science. I have been told by an eminent bookseller, that in no branch of his business, after tracts of popular devotion, were so many books as those on the law  
20 exported to the Plantations. The Colonists have now fallen into the way of printing them for their own use. I hear that they have sold nearly as many of Blackstone's Commentaries in America as in England. General Gage marks out this disposition very particularly in a letter  
25 on your table. He states that all the people in his government are lawyers, or smatterers in law; and that in Boston they have been enabled, by successful chicane, wholly to evade many parts of one of your capital penal constitutions. The smartness of debate will say that *this knowledge* ought to teach them more clearly the

rights of legislature, their obligations to obedience, and the penalties of rebellion. All this is mighty well. But my honorable and learned friend on the floor, who condescends to mark what I say for animadversion, will disdain that ground. He has heard, as well as I, that 5 when great honors and great emoluments do not win over this knowledge to the service of the state, it is a formidable adversary to government. If the spirit be not tamed and broken by these happy methods, it is stubborn and litigious. *Abeunt studia in mores.* This 10 study renders men acute, inquisitive, dexterous, prompt in attack, ready in defense, full of resources. In other countries, the people, more simple and of a less mercurial cast, judge of an ill principle in government only by an actual grievance; here they anticipate the evil, 15 and judge of the pressure of the grievance by the badness of the principle. They augur misgovernment at a distance, and snuff the approach of tyranny in every tainted breeze.

43 The last cause of this disobedient spirit in the Colo- 20 nies is hardly less powerful than the rest, as it is not merely moral, but laid deep in the natural constitution of things. Three thousand miles of ocean lie between you and them. No contrivance can prevent the effect of this distance in weakening government. Seas roll 25 and months pass between the order and the execution; and the want of a speedy explanation of a single point is enough to defeat a whole system. You have, indeed, winged ministers of vengeance, who carry your bolts in their pounces to the remotest verge of the sea. But

there a power steps in, that limits the arrogance of raging passions and furious elements, and says, "So far shalt thou go, and no farther." Who are you, that you should fret and rage, and bite the chains of nature?

5 Nothing worse happens to you than does to all nations who have extensive empire; and it happens in all the forms into which empire can be thrown. In large bodies, the circulation of power must be less vigorous at the extremities. Nature has said it. The Turk cannot govern Egypt, and Arabia, and Kurdistan, as he governs Thrace; nor has he the same dominion in

10 Crimea and Algiers, which he has at Brusa and Smyrna. Despotism itself is obliged to truck and huckster. The Sultan gets such obedience as he can. He governs with a loose rein, that he may govern at all; and the whole

15 of the force and vigor of his authority in his center is derived from a prudent relaxation in all his borders. Spain in her provinces is, perhaps, not so well obeyed as you are in yours. She complies too, she submits, she watches times. This is the immutable condition, the eternal law, of extensive and detached empire.

14 Then, sir, from these six capital sources: of descent; of form of government; of religion in the Northern Provinces; of manners in the Southern; of education;

25 of the remoteness of situation from the first mover of government—from all these causes a fierce spirit of liberty has grown up. It has grown with the growth of the people in your Colonies, and increased with the increase of their wealth; a spirit, that unhappily meeting *with an exercise of power in England, which, however*

lawful, is not reconcilable to any ideas of liberty, much less with theirs, has kindled this flame that is ready to consume us.

I do not mean to commend either the spirit in this excess, or the moral causes which produce it. Perhaps a more smooth and accommodating spirit of freedom in them would be more acceptable to us. Perhaps ideas of liberty might be desired, more reconcilable with an arbitrary and boundless authority. Perhaps we might wish the Colonists to be persuaded that their liberty is more secure when held in trust for them by us, as their guardians during a perpetual minority, than with any part of it in their own hands. The question is, not whether their spirit deserves praise or blame, but—what, in the name of God, shall we do with it? You have before you the object, such as it is, with all its glories, with all its imperfections, on its head. You see the magnitude, the importance, the temper, the habits, the disorders. By all these considerations we are strongly urged to determine something concerning it. We are called upon to fix some rule and line for our future conduct, which may give a little stability to our politics, and prevent the return of such unhappy deliberations as the present. Every such return will bring the matter before us in a still more untractable form. For, what astonishing and incredible things have we not seen already! What monsters have not been generated from this unnatural contention! Whilst every principle of authority and resistance has been pushed, upon both

sides, as far as it would go, there is nothing so solid and certain, either in reasoning or in practice, that has not been shaken. Until very lately, all authority in America seemed to be nothing but an emanation from yours. Even  
5 the popular part of the Colony Constitution derived all its activity, and its first vital movement, from the pleasure of the Crown. We thought, Sir, that the utmost which the discontented Colonists could do, was to disturb authority; we never dreamt they could of them-  
10 selves supply it, knowing in general what an operose business it is to establish a government absolutely new. But having, for our purposes, in this contention, resolved that none but an obedient assembly should sit, the humors of the people there, finding all passage  
15 through the legal channel stopped, with great violence broke out another way. Some provinces have tried their experiment, as we have tried ours; and theirs has succeeded. They have formed a government sufficient for its purposes, without the bustle of a revolution, or the  
20 troublesome formality of an election. Evident necessity and tacit consent have done the business in an instant. So well they have done it, that Lord Dunmore (the account is among the fragments on your table) tells you that the new institution is infinitely better obeyed than  
25 the ancient government ever was in its most fortunate periods. Obedience is what makes government, and not the names by which it is called; not the name of governor, as formerly, or committee, as at present. This new government has originated directly from the people, and was not transmitted through any of the ordi-



nary artificial media of a positive constitution. It was not a manufacture ready formed and transmitted to them in that condition from England. The evil arising from hence is this: that the colonists having once found the possibility of enjoying the advantages of order in the midst of a struggle for liberty, such struggles will not henceforward seem so terrible to the settled and sober part of mankind as they had appeared before the trial.

4 Pursuing the same plan of punishing by the denial of the exercise of government to still greater lengths, we wholly abrogated the ancient government of Massachusetts. We were confident that the first feeling, if not the very prospect of anarchy, would instantly enforce a complete submission. The experiment was tried. A new, strange, unexpected face of things appeared. Anarchy is found tolerable. A vast province has now subsisted, and subsisted in a considerable degree of health and vigor, for near a twelvemonth, without governor, without public council, without judges, without executive magistrates. How long it will continue in this state, or what may arise out of this unheard-of situation, how can the wisest of us conjecture? Our late experience has taught us that many of those fundamental principles formerly believed infallible, are either not of the importance they were imagined to be; or that we have not at all adverted to some other far more important and far more powerful principles, which entirely overrule those we had considered as omnipotent. I am much against any farther experiments, which tend to put to the proof

any more of these allowed opinions, which contribute so much to the public tranquillity. In effect, we suffer as much at home by this loosening of all ties, and this concussion of all established opinions, as we do abroad.

5 For, in order to prove that the Americans have no right to their liberties, we are every day endeavoring to subvert the maxims which preserve the whole spirit of our own. To prove that the Americans ought not to be free, we are obliged to depreciate the value of freedom itself ;  
10 and we never seem to gain a paltry advantage over them in debate, without attacking some of those principles, or deriding some of those feelings, for which our ancestors have shed their blood.

But, Sir, in wishing to put an end to pernicious experiments, I do not mean to preclude the fullest inquiry.

Far from it. Far from deciding on a sudden or partial view, I would patiently go round and round the subject, and survey it minutely in every possible aspect. Sir, if I were capable of engaging you to an equal attention, I  
20 would state, that, as far as I am capable of discerning, there are but three ways of proceeding relative to this stubborn spirit which prevails in your Colonies and disturbs your Government. These are: to change that spirit, as inconvenient, by removing the causes ; to prosecute it as criminal ; or, to comply with it as necessary.

I would not be guilty of an imperfect enumeration ; I can think of but these three. Another has indeed been started, that of giving up the Colonies ; but it met so slight a reception, that I do not think myself obliged to dwell a great while upon it. It is nothing but a little

sally of anger, like the frowardness of peevish children, who, when they cannot get all they would have, are resolved to take nothing.

The first of these plans, to change the spirit as inconvenient, by removing the causes, I think is the most like a systematic proceeding. It is radical in its principle, but it is attended with great difficulties, some of them little short, as I conceive, of impossibilities. This will appear by examining into the plans which have been proposed. 10

As the growing population in the Colonies is evidently one cause of their resistance, it was last session mentioned in both Houses, by men of weight, and received not without applause, that in order to check this evil, it would be proper for the Crown to make no further grants of land. But to this scheme there are two objections: the first, that there is already so much unsettled land in private hands, as to afford room for an immense future population, although the Crown not only withheld its grants, but annihilated its soil. If this be the case, 15 then the only effect of this avarice of desolation, this hoarding of a royal wilderness, would be to raise the value of the possessions in the hands of the great private monopolists, without any adequate check to the growing and alarming mischief of population. 25

But if you stopped your grants, what would be the consequence? The people would occupy without grants. They have already so occupied in many places. You cannot station garrisons in every part of these deserts. If you drive the people from one place, they will carry

on their annual tillage, and remove with their flocks and herds to another. Many of the people in the back settlements are already little attached to particular situations. Already they have topped the Appalachian  
5 mountains. From thence they behold before them an immense plain, one vast, rich, level meadow; a square of five hundred miles. Over this they would wander without a possibility of restraint; they would change their manners with the habits of their life; would soon  
10 forget a government by which they were disowned; would become hordes of English Tartars; and pouring down upon your unfortified frontiers a fierce and irresistible cavalry, become masters of your governors and your counselors, your collectors and comptrollers, and  
15 of all the slaves that adhered to them. Such would, and, in no long time, must be, the effect of attempting to forbid as a crime, and to suppress as an evil, the command and blessing of Providence, "Increase and multiply." Such would be the happy result of the en-  
20 deavor to keep as a lair of wild beasts, that earth, which God, by an express charter, has *given to the children of men*. Far different, and surely much wiser, has been our policy hitherto. Hitherto we have invited our people, by every kind of bounty, to fixed establishments.  
25 We have invited the husbandman to look to authority for his title. We have taught him piously to believe in the mysterious virtue of wax and parchment. We have thrown each tract of land, as it was peopled, into districts, that the ruling power should never be wholly *out of sight*. We have settled all we could, and we

have carefully attended every settlement with government.

> C Adhering, Sir, as I do, to this policy, as well as for the reasons I have just given, I think this new project of hedging in population to be neither prudent nor 5 practicable.

> I To impoverish the Colonies in general, and in particular to arrest the noble course of their marine enterprises, would be a more easy task. I freely confess it. We have shown a disposition to a system of this kind; 10 a disposition even to continue the restraint after the offense, looking on ourselves as rivals to our Colonies, and persuaded that of course we must gain all that they shall lose. Much mischief we may certainly do. The power inadequate to all other things is often more than 15 sufficient for this. I do not look on the direct and immediate power of the Colonies to resist our violence as very formidable. In this, however, I may be mistaken. But when I consider that we have Colonies for no purpose but to be serviceable to us, it seems to my poor 20 understanding a little preposterous to make them un-serviceable in order to keep them obedient. It is, in truth, nothing more than the old, and, as I thought, exploded problem of tyranny, which proposes to beggar its subjects into submission. But remember, when you 25 have completed your system of impoverishment, that nature still proceeds in her ordinary course; that discontent will increase with misery; and that there are critical moments in the fortune of all states, when they who are too weak to contribute to your prosperity may

be strong enough to complete your ruin. *Spoliatis arma supersunt.*

5 The temper and character which prevail in our Colonies are, I am afraid, unalterable by any human art.

5 We cannot, I fear, falsify the pedigree of this fierce people, and persuade them that they are not sprung from a nation in whose veins the blood of freedom circulates. The language in which they would hear you tell them this tale would detect the imposition; your

10 speech would betray you. An Englishman is the unfittest person on earth to argue another Englishman into slavery.

✓ 5 I think it is nearly as little in our power to change their republican religion as their free descent, or to 15 substitute the Roman Catholic as a penalty, or the Church of England as an improvement. The mode of inquisition and dragooning is going out of fashion in the Old World; and I should not confide much to their efficacy in the New. The education of the Americans

20 is also on the same unalterable bottom with their religion. You cannot persuade them to burn their books of curious science; to banish their lawyers from their courts of laws; or to quench the lights of their assemblies, by refusing to choose those persons who are best 25 read in their privileges. It would be no less impracticable to think of wholly annihilating the popular assemblies in which these lawyers sit. The army, by which we must govern in their place, would be far more chargeable to us, not quite so effectual, and perhaps, in the end, full as difficult to be kept in obedience.

5 With regard to the high aristocratic spirit of Virginia and the Southern Colonies, it has been proposed, I know, to reduce it by declaring a general enfranchisement of their slaves. This project has had its advocates and panegyrists, yet I never could argue myself into any 5 opinion of it. Slaves are often much attached to their masters. A general wild offer of liberty would not always be accepted. History furnishes few instances 1 of it. It is sometimes as hard to persuade slaves to be free as it is to compel freemen to be slaves; and 10 in this auspicious scheme we should have both these pleasing tasks on our hands at once. But when we talk of enfranchisement, do we not perceive that the American master may enfranchise too, and arm servile hands in defense of freedom? — a measure to which other peo- 15 ple have had recourse more than once, and not without success, in a desperate situation of their affairs.

4 Slaves as these unfortunate black people are, and dull as all men are from slavery, must they not a little suspect the offer of freedom from that very nation which 20 has sold them to their present masters, from that nation, one of whose causes of quarrel with those masters is their refusal to deal any more in that inhuman traffic? An offer of freedom from England would come rather oddly, shipped to them in an African vessel, 25 which is refused an entry into the ports of Virginia or Carolina with a cargo of three hundred Angola negroes. It would be curious to see the Guinea captain attempting at the same instant to publish his proclamation of liberty, and to advertise his sale of slaves.

5 But let us suppose all these moral difficulties got over. The ocean remains. You cannot pump this dry; and as long as it continues in its present bed, so long all the causes which weaken authority by distance will continue.

“Ye gods, annihilate but space and time,  
And make two lovers happy!” —

was a pious and passionate prayer; but just as reasonable as many of the serious wishes of very grave and  
10 solemn politicians.

15 If then, Sir, it seems almost desperate to think of any alternative course for changing the moral causes, and not quite easy to remove the natural, which produce prejudices irreconcilable to the late exercise of our authority; but that the spirit infallibly will continue, and, continuing, will produce such effects as now embarrass us; the second mode under consideration is, to prosecute that spirit in its overt acts as *criminal*.

20 At this proposition I must pause a moment. The thing seems a great deal too big for my ideas of jurisprudence. It should seem to my way of conceiving such matters, that there is a very wide difference in reason and policy, between the mode of proceeding on the irregular conduct of scattered individuals, or even of  
25 bands of men, who disturb order within the state, and the civil dissensions which may from time to time, on great questions, agitate the several communities which compose a great empire. It looks to me to be narrow and pedantic to apply the ordinary ideas of criminal



justice to this great public contest. I do not know the method of drawing up an indictment against a whole people. I cannot insult and ridicule the feelings of millions of my fellow-creatures, as Sir Edward Coke insulted one excellent individual (Sir Walter Raleigh) 5 at the bar. I hope I am not ripe to pass sentence on the gravest public bodies, intrusted with magistracies of great authority and dignity, and charged with the safety of their fellow-citizens, upon the very same title that I am. I really think, that for wise men, this is not 10 judicious; for sober men, not decent; for minds tinctured with humanity, not mild and merciful.

59 Perhaps, Sir, I am mistaken in my idea of an empire as distinguished from a single state or kingdom. But my idea of it is this, that an empire is the aggregate 15 of many states under one common head, whether this head be a monarch or a presiding republic. It does, in such constitutions, frequently happen (and nothing but the dismal, cold, dead uniformity of servitude can prevent its happening) that the subordinate parts have 20 many local privileges and immunities. Between these privileges and the supreme common authority the line may be extremely nice. Of course disputes, often too very bitter disputes and much ill-blood, will arise. But though every privilege is an exemption (in the case) 25 from the ordinary exercise of the supreme authority, it is no denial of it. The claim of a privilege seems rather, *ex vi termini*, to imply a superior power. For to talk of the privileges of a state or of a person who has no superior, is hardly any better than speaking nonsense.

Now, in such unfortunate quarrels among the component parts of a great political union of communities, I can scarcely conceive anything more completely imprudent than for the head of the empire to insist that, if any  
5 privilege is pleaded against his will or his acts, his whole authority is denied; instantly to proclaim rebellion, to beat to arms, and to put the offending provinces under the ban. Will not this, Sir, very soon teach the provinces to make no distinctions on their part? Will  
10 it not teach them that the government, against which a claim of liberty is tantamount to high treason, is a government to which submission is equivalent to slavery? It may not always be quite convenient to impress dependent communities with such an idea.

15 We are indeed, in all disputes with the Colonies, by the necessity of things, the judge. It is true, Sir. But I confess that the character of judge in my own cause is a thing that frightens me. Instead of filling me with pride, I am exceedingly humbled by it. I cannot proceed with a stern, assured, judicial confidence, until I  
20 find myself in something more like a judicial character. I must have these hesitations as long as I am compelled to recollect that, in my little reading upon such contests as these, the sense of mankind has at least as often decided against the superior as the subordinate power.

25 Sir, let me add too, that the opinion of my having some abstract right in my favor would not put me much at my ease in passing sentence, unless I could be sure that there were no rights which, in their exercise under certain circumstances, were not the most odious of all

wrongs, and the most vexatious of all injustice. Sir, these considerations have great weight with me when I find things so circumstanced that I see the same party at once a civil litigant against me in point of right and a culprit before me,—while I sit as a criminal judge on 5 acts of his, whose moral quality is to be decided upon the merits of that very litigation. Men are every now and then put, by the complexity of human affairs, into strange situations; but justice is the same, let the judge be in what situation he will. 10

There is, Sir, also a circumstance which convinces me that this mode of criminal proceeding is not (at least in the present stage of our contest) altogether expedient; which is nothing less than the conduct of those very persons who have seemed to adopt that mode, by lately 15 declaring a rebellion in Massachusetts Bay, as they had formerly addressed to have traitors brought hither, under an Act of Henry the Eighth, for trial. For, though rebellion is declared, it is not proceeded against as such, nor have any steps been taken towards the 20 apprehension or conviction of any individual offender, either on our late or our former Address; but modes of public coercion have been adopted, and such as have much more resemblance to a sort of qualified hostility towards an independent power, than the punishment of 25 rebellious subjects. All this seems rather inconsistent; but it shows how difficult it is to apply these juridical ideas to our present case.

In this situation let us seriously and coolly ponder. What is it we have got by all our menaces, which have

been many and ferocious? What advantage have we derived from the penal laws we have passed, and which, for the time, have been severe and numerous? What advances have we made towards our object by the sending of a force, which, by land and sea, is no contemptible strength? Has the disorder abated? Nothing less. When I see things in this situation, after such confident hopes, bold promises, and active exertions, I cannot, for my life, avoid a suspicion that the plan itself is not correctly right.

If, then, the removal of the causes of this spirit of American liberty be, for the greater part, or rather entirely, impracticable; if the ideas of criminal process be inapplicable, or, if applicable, are in the highest degree inexpedient; what way yet remains? No way is open but the third and last,—to comply with the American spirit as necessary; or, if you please, to submit to it as a necessary evil.

If we adopt this mode, if we mean to conciliate and concede, let us see of what nature the concession ought to be; to ascertain the nature of our concession, we must look at their complaint. The Colonies complain that they have not the characteristic mark and seal of British freedom. They complain that they are taxed in a Parliament in which they are not represented. If you mean to satisfy them at all, you must satisfy them with regard to this complaint. If you mean to please any people, you must give them the boon which they ask, not what you may think better for

them, but of a kind totally different. Such an act may be a wise regulation, but it is no concession; whereas our present theme is the mode of giving satisfaction.

6 Sir, I think you must perceive that I am resolved this 5 day to have nothing at all to do with the question of the right of taxation. Some gentlemen startle, but it is true; I put it totally out of the question. It is less than nothing in my consideration. I do not indeed wonder, nor will you, Sir, that gentlemen of profound 10 learning are fond of displaying it on this profound subject. But my consideration is narrow, confined, and wholly limited to the policy of the question. I do not examine whether the giving away a man's money be a power 15 excepted and reserved out of the general trust of government; and how far all mankind, in all forms of polity, are entitled to an exercise of that right by the charter of nature. Or whether, on the contrary, a right of taxation is necessarily involved in the general principle of legislation, and inseparable from the ordinary 20 supreme power. These are deep questions, where great names militate against each other, where reason is perplexed, and an appeal to authorities only thickens the confusion. For high and reverend authorities lift up their heads on both sides; and there is no sure footing 25 in the middle. This point is the —

“ — great Serbonian bog,  
Betwixt Damietta and Mount Casius old,  
Where armies whole have sunk.”

appeal  
interest

I do not intend to be overwhelmed in that bog, though in such respectable company. The question with me is not whether you have a right to render your people miserable, but whether it is not your interest to make  
 5 them happy. It is not what a lawyer tells me I *may* do, but what humanity, reason, and justice tell me I *ought* to do. Is a politic act the worse for being a generous one? Is no concession proper but that which is made from your want of right to keep what you  
 10 grant? Or does it lessen the grace or dignity of relaxing in the exercise of an odious claim because you have your evidence-room full of titles, and your magazines stuffed with arms to enforce them? What signify all those titles and all those arms? Of what avail are they  
 15 when the reason of the thing tells me that the assertion of my title is the loss of my suit, and that I could do nothing but wound myself by the use of my own weapons?

Such is steadfastly my opinion of the absolute neces-  
 20 sity of keeping up the concord of this Empire by a unity of spirit, though in a diversity of operations, that, if I were sure the colonists had, at their leaving this country, sealed a regular compact of servitude, that they had solemnly abjured all the rights of citizens,  
 25 that they had made a vow to renounce all ideas of liberty for them and their posterity to all generations, yet I should hold myself obliged to conform to the temper I found universally prevalent in my own day, and to govern two millions of men, impatient of servitude, on the principles of freedom. I am not determin-

ing a point of law, I am restoring tranquillity; and the general character and situation of a people must determine what sort of government is fitted for them. That point nothing else can or ought to determine.

My idea, therefore, without considering whether we <sup>5</sup> yield as matter of right, or grant as matter of favor, is *to admit the people of our Colonies into an interest in the Constitution*; and, by recording that admission in the Journals of Parliament, to give them as strong an assurance as the nature of the thing will admit, that we <sup>10</sup> mean forever to adhere to that solemn declaration of systematic indulgence.

Some years ago, the repeal of a revenue act upon its understood principle might have served to show that we intended an unconditional abatement of the exercise of <sup>15</sup> a taxing power. Such a measure was then sufficient to remove all suspicion and to give perfect content. But unfortunate events since that time may make something further necessary; and not more necessary for the satisfaction of the Colonies than for the dignity and consist- <sup>20</sup> ency of our own future proceedings.

I have taken a very incorrect measure of the disposition of the House, if this proposal in itself would be received with dislike. I think, Sir, we have few American financiers. But our misfortune is, we are too <sup>25</sup> acute, we are too exquisite in our conjectures of the future for men oppressed with such great and present evils. The more moderate among the opposers of Parliamentary concession freely confess that they hope no

good from taxation ; but they apprehend the colonists have further views, and if this point were conceded, they would instantly attack the trade laws. These gentlemen are convinced that this was the intention  
5 from the beginning, and the quarrel of the Americans with taxation was no more than a cloak and cover to this design. Such has been the language even of a gentleman of real moderation, and of a natural temper well adjusted to fair and equal government. I am,  
10 however, Sir, not a little surprised at this kind of discourse whenever I hear it ; and I am the more surprised on account of the arguments which I constantly find in company with it, and which are often urged from the same mouths, and on the same day.

15 For instance, when we allege that it is against reason to tax a people under so many restraints in trade as the Americans, the Noble Lord in the Blue Ribbon shall tell you that the restraints on trade are futile and useless ; of no advantage to us, and of no burthen to  
20 those on whom they are imposed ; that the trade to America is not secured by the Acts of Navigation, but by the natural and irresistible advantage of a commercial preference.

Such is the merit of the trade laws in this posture  
25 of the debate. But when strong internal circumstances are urged against the taxes ; when the scheme is dissected ; when experience and the nature of things are brought to prove, and do prove, the utter impossibility of obtaining an effective revenue from the Colonies ; *when these things* are pressed, or rather press them-



selves, so as to drive the advocates of Colony taxes to a clear admission of the futility of the scheme — then, Sir, the sleeping trade laws revive from their trance; and this useless taxation is to be kept sacred, not for its own sake, but as a counter-guard and security of the laws of 5 trade.

Then, Sir, you keep up revenue laws which are mischievous, in order to preserve trade laws that are useless. Such is the wisdom of our plan in both its members. They are separately given up as of no value; and yet 10 one is always to be defended for the sake of the other. But I cannot agree with the Noble Lord, nor with the pamphlet from whence he seems to have borrowed these ideas concerning the inutility of the trade laws. For, without idolizing them, I am sure they are still, in 15 many ways, of great use to us; and in former times they have been of the greatest. They do confine and they do greatly narrow the market for the Americans. But my perfect conviction of this does not help me in the least to discern how the revenue laws form any secu- 20 rity whatsoever to the commercial regulations; or that these commercial regulations are the true ground of the quarrel; or that the giving way, in any one instance of authority, is to lose all that may remain unconceded.

One fact is clear and indisputable. The public and 25 avowed origin of this quarrel was on taxation. This quarrel has indeed brought on new disputes on new questions, but certainly the least bitter, and the fewest of all, on the trade laws. To judge which of the two be the real, radical cause of quarrel, we have to see

whether the commercial dispute did, in order of time, precede the dispute on taxation. There is not a shadow of evidence for it. Next, to enable us to judge whether at this moment a dislike to the trade laws be the real  
5 cause of quarrel, it is absolutely necessary to put the taxes out of the question by a repeal. See how the Americans act in this position, and then you will be able to discern correctly what is the true object of the controversy, or whether any controversy at all will remain.  
10 Unless you consent to remove this cause of difference, it is impossible, with decency, to assert that the dispute is not upon what it is avowed to be. And I would, Sir, recommend to your serious consideration, whether it be prudent to form a rule for punishing people, not on their  
15 own acts, but on your conjectures. Surely it is preposterous at the very best. It is not justifying your anger by their misconduct; but it is converting your ill-will into their delinquency.

But the Colonies will go farther. Alas! alas! when  
20 will this speculation against fact and reason end? What will quiet these panic fears which we entertain of the hostile effect of a conciliatory conduct? Is it true that no case can exist in which it is proper for the sovereign to accede to the desires of his discontented  
25 subjects? Is there anything peculiar in this case to make a rule for itself? Is all authority of course lost, when it is not pushed to the extreme? Is it a certain maxim, that, the fewer causes of dissatisfaction are left by government, the more the subject will be inclined to  
*resist and rebel?*

All these objections being in fact no more than suspicions, conjectures, divinations, formed in defiance of fact and experience, they did not, Sir, discourage me from entertaining the idea of a conciliatory concession, founded on the principles which I have just stated.

In forming a plan for this purpose, I endeavored to put myself in that frame of mind which was the most natural, and the most reasonable; and which was certainly the most probable means of securing me from all error. I set out with a perfect distrust of my own abilities; a total renunciation of every speculation of my own; and with a profound reverence for the wisdom of our ancestors, who have left us the inheritance of so happy a constitution, and so flourishing an empire, and what is a thousand times more valuable, the treasury of the maxims and principles which formed the one, and obtained the other.

During the reigns of the kings of Spain of the Austrian family, whenever they were at a loss in the Spanish councils, it was common for their statesmen to say that they ought to consult the genius of Philip the Second. The genius of Philip the Second might mislead them; and the issue of their affairs showed that they had not chosen the most perfect standard. But, Sir, I am sure that I shall not be misled, when in a case of constitutional difficulty, I consult the genius of the English Constitution. Consulting at that oracle (it was with all due humility and piety), I found four capital

examples in a similar case before me, those of Ireland, Wales, Chester, and Durham.)

Ireland, before the English conquest, though never governed by a despotic power, had no parliament. 5 How far the English Parliament itself was at that time modelled according to the present form, is disputed among antiquaries. But we have all the reason in the world to be assured that a form of parliament, such as England then enjoyed, she instantly communi- 10 cated to Ireland; and we are equally sure that almost every successive improvement in constitutional liberty, as fast as it was made here, was transmitted thither. The feudal baronage and the feudal knighthood, the roots of our primitive constitution, were early trans- 15 planted into that soil; and grew and flourished there. Magna Charta, if it did not give us originally the House of Commons, gave us at least a House of Commons of weight and consequence. But your ancestors did not churlishly sit down alone to the feast of Magna Charta. 20 Ireland was made immediately a partaker. This benefit of English laws and liberties, I confess, was not at first extended to *all* Ireland. Mark the consequence. English authority and English liberties had exactly the same boundaries. Your standard could never be advanced an 25 inch before your privileges. Sir John Davis shows beyond a doubt, that the refusal of a general communication of these rights was the true cause why Ireland was five hundred years in subduing; and after the vain projects of a military government, attempted in the reign of Queen Elizabeth, it was soon discovered that

nothing could make that country English, in civility and allegiance, but your laws and your forms of legislature. It was not English arms, but the English Constitution, that conquered Ireland. From that time, Ireland has ever had a general parliament, as she had 5 before a partial parliament. You changed the people; you altered the religion; but you never touched the form or the vital substance of free government in that kingdom. You deposed kings, you restored them; you altered the succession to theirs, as well as to your 10 own Crown; but you never altered their constitution; the principle of which was respected by usurpation, restored with the restoration of monarchy, and established, I trust, forever, by the glorious Revolution. This has made Ireland the great and flourishing king- 15 dom that it is; and from a disgrace and a burthen intolerable to this nation, has rendered her a principal part of our strength and ornament. This country cannot be said to have ever formally taxed her. The irregular things done in the confusion of mighty troubles, and on 20 the hinge of great revolutions, even if all were done that is said to have been done, form no example. If they have any effect in argument, they make an exception to prove the rule. None of your own liberties could stand a moment if the casual deviations from them, at such 25 times, were suffered to be used as proofs of their nullity. By the lucrative amount of such casual breaches in the constitution, judge what the stated and fixed rule of supply has been in that kingdom. Your Irish pensioners would starve if they had no other fund to live on

than taxes granted by English authority. Turn your eyes to those popular grants from whence all your great supplies are come, and learn to respect that only source of public wealth in the British Empire.

(5) My next example is Wales. This country was said to be reduced by Henry the Third. It was said more truly to be so by Edward the First. But though then conquered, it was not looked upon as any part of the realm of England. Its old constitution, whatever that might  
 10 have been, was destroyed; and no good one was substituted in its place. The care of that tract was put into the hands of lords marchers — a form of government of a very singular kind; a strange heterogeneous monster, something between hostility and government; per-  
 15 haps it has a sort of resemblance, according to the modes of those times, to that of commander-in-chief at present, to whom all civil power is granted as secondary. The manners of the Welsh nation followed the genius of the government; the people were ferocious, restive,  
 20 savage, and uncultivated, sometimes composed, never pacified. Wales, within itself, was in perpetual disorder; and it kept the frontier of England in perpetual alarm. Benefits from it to the state there were none. Wales was only known to England by incursion and  
 25 invasion.

Sir, during that state of things, Parliament was not idle. They attempted to subdue the fierce spirit of the Welsh by all sorts of rigorous laws. They prohibited by statute the sending all sorts of arms into Wales, as  
*you prohibit by proclamation* (with something more of

doubt on the legality) the sending arms to America. They disarmed the Welsh by statute, as you attempted (but still with more question on the legality) to disarm New England by an instruction. They made an act to drag offenders from Wales into England for trial, as you have done (but with more hardship) with regard to America. By another act, where one of the parties was an Englishman, they ordained that his trial should be always by English. They made acts to restrain trade, as you do; and they prevented the Welsh from the use of fairs and markets, as you do the Americans from fisheries and foreign ports. In short, when the statute book was not quite so much swelled as it is now, you find no less than fifteen acts of penal regulation on the subject of Wales.

15

Here we rub our hands—a fine body of precedents for the authority of Parliament and the use of it! I admit it fully; and pray add likewise to these precedents, that all the while Wales rid this kingdom like an *incubus*, that it was an unprofitable and oppressive burthen, and that an Englishman traveling in that country could not go six yards from the high road without being murdered.

The march of the human mind is slow. Sir, it was not, until after two hundred years, discovered that, by an eternal law, Providence had decreed vexation to violence, and poverty to rapine. Your ancestors did, however, at length open their eyes to the ill husbandry of injustice. They found that the tyranny of a free people could, of all tyrannies, the least be endured; and

that laws made against a whole nation were not the most effectual methods of securing its obedience. Accordingly, in the twenty-seventh year of Henry the Eighth, the course was entirely altered. With a preamble stating the entire and perfect rights of the Crown of England, it gave to the Welsh all the rights and privileges of English subjects. A political order was established; the military power gave way to the civil; the marches were turned into counties. "But that a nation should have a right to English liberties, and yet no share at all in the fundamental security of these liberties—the grant of their own property—seemed a thing so incongruous, that eight years after, that is, in the thirty-fifth of that reign, a complete and not ill-proportioned representation by counties and boroughs was bestowed upon Wales by Act of Parliament. From that moment, as by a charm, the tumults subsided; obedience was restored; peace, order, and civilization followed in the train of liberty. When the day-star of the English Constitution had arisen in their hearts, all was harmony within and without—

25

"— simul alba nautis  
 Stella refulsit,  
 Defluit saxis agitated humor ;  
 Concidunt venti, fugiuntque nubes,  
 Et minax (quod sic voluere) ponto  
 Unda recumbit."

The very same year the County Palatine of Chester received the same relief from its oppressions, and the *same* remedy to its disorders. Before this time Chester



was little less distempered than Wales. The inhabitants, without rights themselves, were the fittest to destroy the rights of others; and from thence Richard the Second drew the standing army of Archers, with which for a time he oppressed England. The people of Chester applied to Parliament in a petition penned as I shall read to you:—

To the King our Sovereign Lord, in most humble wise shewen unto your Excellent Majesty the inhabitants of your Grace's County Palatine of Chester; (1.) That where the said County Palatine of Chester is and hath been always hitherto exempt, excluded, and separated out and from your High Court of Parliament, to have any Knights and Burgesses within the said Court; by reason whereof the said inhabitants have hitherto sustained manifold disherisons, losses, and damages, as well in their lands, goods, and bodies, as in the good, civil, and politic governance and maintenance of the commonwealth of their said county: (2.) And forasmuch as the said inhabitants have always hitherto been bound by the Acts and Statutes made and ordained by your said Highness, and your most noble progenitors, by authority of the said Court, as far forth as other counties, cities, and boroughs have been, that have had their Knights and Burgesses within your said Court of Parliament, and yet have had neither Knight ne Burgess there for the said County Palatine; the said inhabitants, for lack thereof, have been oftentimes touched and grieved with Acts and Statutes made within the said Court, as well derogatory unto the most ancient jurisdictions, liberties, and privileges of your said County Palatine, as preju-

dicial unto the commonwealth, quietness, rest, and peace of your Grace's most bounden subjects inhabiting within the same.

- What did Parliament with this audacious address ?
- 5 Reject it as a libel ? Treat it as an affront to Government ? Spurn it as a derogation from the rights of legislature ? Did they toss it over the table ? Did they burn it by the hands of the common hangman ? They took the petition of grievance, all rugged as it was, with-
- 10 out softening or temperament, unpurged of the original bitterness and indignation of complaint ; they made it the very preamble to their Act of redress ; and consecrated its principle to all ages in the sanctuary of legislation.
- 15 Here is my third example. It was attended with the success of the two former. Chester, civilized as well as Wales, has demonstrated that freedom, and not servitude, is the cure of anarchy ; as religion, and not atheism, is the true remedy for superstition. Sir, this pattern of
- 20 Chester was followed in the reign of Charles the Second, with regard to the County Palatine of Durham, which is my fourth example. This county had long lain out of the pale of free legislation. So scrupulously was the example of Chester followed, that the style of the preamble is nearly the same with that of the Chester Act ;
- 25 and, without affecting the abstract extent of the authority of Parliament, it recognizes the equity of not suffering any considerable district, in which the British subjects may act as a body, to be taxed without their *own voice in the grant.*

Now, if the doctrines of policy contained in these preambles, and the force of these examples in the Acts of Parliaments, avail anything, what can be said against applying them with regard to America? Are not the people of America as much Englishmen as the Welsh? 5 The preamble of the act of Henry the Eighth says the Welsh speak a language no way resembling that of his Majesty's English subjects. Are the Americans not as numerous? If we may trust the learned and accurate Judge Barrington's account of North Wales, and take 10 that as a standard to measure the rest, there is no comparison. The people cannot amount to above two hundred thousand; not a tenth part of the number in the Colonies. Is America in rebellion? Wales was hardly ever free from it. Have you attempted to govern 15 America by penal statutes? You made fifteen for Wales. But your legislative authority is perfect with regard to America. Was it less perfect in Wales, Chester, and Durham? But America is virtually represented. What! does the electric force of virtual 20 representation more easily pass over the Atlantic than pervade Wales, which lies in your neighborhood, or than Chester and Durham, surrounded by abundance of representation that is actual and palpable? But, Sir, your ancestors thought this sort of virtual representa- 25 tion, however ample, to be totally insufficient for the freedom of the inhabitants of territories that are so near, and comparatively so inconsiderable. How then can I think it sufficient for those which are infinitely greater, and infinitely more remote?

You will now, Sir, perhaps imagine that I am on the  
 point of proposing to you a scheme for a representation  
 of the Colonies in Parliament. Perhaps I might be  
 inclined to entertain some such thought; but a great  
 5 flood stops me in my course. *Opposuit natura* — I can-  
 not remove the eternal barriers of the creation. The  
 thing, in that mode, I do not know to be possible. As I  
 meddle with no theory, I do not absolutely assert the  
 impracticability of such a representation. But I do not  
 10 see my way to it, and those who have been more con-  
 fident have not been more successful. However, the  
 arm of public benevolence is not shortened, and there  
 are often several means to the same end. What nature  
 has disjoined in one way, wisdom may unite in another.  
 15 When we cannot give the benefit as we would wish, let  
 us not refuse it altogether. If we cannot give the  
 principal, let us find a substitute. But how? Where?  
 What substitute?

Fortunately I am not obliged for the ways and means  
 20 of this substitute to tax my own unproductive inven-  
 tion. I am not even obliged to go to the rich treasury  
 of the fertile framers of imaginary commonwealths;  
 not to the Republic of Plato; not to the Utopia of  
 More; not to the Oceana of Harrington. It is before  
 25 me — it is at my feet, —

“ — and the rude swain  
 Treads daily on it with his clouted shoon.”

I only wish you to recognize, for the theory, the ancient  
*constitutional* policy of this kingdom with regard to

alone  
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 some w/ /  
 ...  
 ...  
 ...

representation, as that policy has been declared in Acts of Parliament; and, as to the practice, to return to that mode which a uniform experience has marked out to you as best, and in which you walked with security, advantage, and honor, until the year 1763. 5

My resolutions therefore mean to establish the equity and justice of a taxation of America by *grant*, and not by *imposition*; to mark the *legal competency* of the Colony Assemblies for the support of their government in peace, and for public aids in time of war; to acknowledge that this legal competency has had a *dutiful and beneficial exercise*; and that experience has shown the *benefit of their grants*, and the *futility of Parliamentary taxation as a method of supply*. 10

These solid truths compose six fundamental propositions. There are three more resolutions corollary to these. If you admit the first set, you can hardly reject the others. But if you admit the first, I shall be far from solicitous whether you accept or refuse the last. I think these six massive pillars will be of strength sufficient to support the temple of British concord. I have no more doubt than I entertain of my existence, that if you admitted these, you would command an immediate peace; and, with but tolerable future management, a lasting obedience in America. I am not arrogant in this confident assurance. The propositions are all mere matters of fact; and if they are such facts as draw irresistible conclusions even in the stating, this is the power of truth, and not any management of mine. 15

Sir, I shall open the whole plan to you, together with such observations on the motions as may tend to illustrate them where they may want explanation. The first is a resolution —

- 5 That the Colonies and Plantations of Great Britain in North America, consisting of Fourteen separate Governments, and containing Two Millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any Knights and Burgesses, or  
10 others to represent them in the High Court of Parliament.

This is a plain matter of fact, necessary to be laid down, and (excepting the description) it is laid down in the language of the Constitution; it is taken nearly  
15 *verbatim* from Acts of Parliament.

The second is like unto the first —

- That the said Colonies and Plantations have been liable to, and bounden by, several subsidies, payments, rates, and taxes, given and granted by Parliament, though the said  
20 Colonies and Plantations have not their Knights and Burgesses in the said High Court of Parliament, of their own election to represent the condition of their country; by lack whereof they have been oftentimes touched and grieved by subsidies given, granted, and assented to, in  
25 the said Court in a manner prejudicial to the commonwealth, quietness, rest, and peace of the subjects inhabiting within the same.

Is this description too hot, or too cold; too strong, or too weak? Does it arrogate too much to the supreme

legislature? Does it lean too much to the claims of the people? If it runs into any of these errors, the fault is not mine. It is the language of your own ancient Acts of Parliament.

"Non meus hic sermo, sed quæ præcepit Ofellus,  
Rusticus, abnormis sapiens."

5

*The language of an Act of Peace*  
It is the genuine produce of the ancient, rustic, manly, homebred sense of this country:—I did not dare to rub off a particle of the venerable rust that rather adorn and preserves, than destroys the metal. It would be a prof-  
anation to touch with a tool the stones which construct  
the sacred altar of peace. I would not violate with  
modern polish the ingenuous and noble roughness of  
these truly constitutional materials. Above all things,  
I was resolved not to be guilty of tampering; the odious  
vice of restless and unstable minds. I put my foot in  
the tracks of our forefathers, where I can neither wan-  
der nor stumble. Determining to fix articles of peace, I  
was resolved not to be wise beyond what was written;  
I was resolved to use nothing else than the form of  
sound words; to let others abound in their own sense,  
and carefully to abstain from all expressions of my own.  
What the Law has said, I say. In all things else I am  
silent. I have no organ but for her words. This, if it  
be not ingenious, I am sure is safe. }

25

There are indeed words expressive of grievance in this second resolution, which those who are resolved always to be in the right will deny to contain matter of fact, as applied to the present case; although Parliament

thought them true, with regard to the counties of Chester and Durham. They will deny that the Americans were ever "touched and grieved" with the taxes. If they consider nothing in taxes but their weight as pecuniary impositions, there might be some pretense for this denial. But men may be sorely touched and deeply grieved in their privileges, as well as in their purses. Men may lose little in property by the act which takes away all their freedom. When a man is robbed of a trifle on the highway, it is not the twopence lost that constitutes the capital outrage. This is not confined to privileges. Even ancient indulgences withdrawn, without offense on the part of those who enjoyed such favors, operate as grievances. But were the Americans then not touched and grieved by the taxes, in some measure, merely as taxes? If so, why were they almost all either wholly repealed or exceedingly reduced? Were they not touched and grieved even by the regulating duties of the Sixth of George the Second? Else why were the duties first reduced to one-third in 1764, and afterwards to a third of that third in the year 1766? Were they not touched and grieved by the Stamp Act? I shall say they were, until that tax is revived. Were they not touched and grieved by the duties of 1767, which were likewise repealed, and which Lord Hillsborough tells you (for the ministry) were laid contrary to the true principle of commerce? Is not the assurance given by that noble person to the Colonies of a resolution to lay no more taxes on them, an admission *that* taxes would touch and grieve them? Is not the



resolution of the Noble Lord in the Blue Ribbon, now standing on your Journals, the strongest of all proofs that Parliamentary subsidies really touched and grieved them? Else why all these changes, modifications, repeals, assurances, and resolutions? 5

The next proposition is —

That, from the distance of the said Colonies, and from other circumstances, no method hath hitherto been devised for procuring a representation in Parliament for the said Colonies. 10

This is an assertion of a fact. I go no farther on the paper, though, in my private judgment, a useful representation is impossible, — I am sure it is not desired by them, nor ought it perhaps by us, — but I abstain from opinions. 15

The fourth Resolution is, —

That each of the said Colonies hath within itself a body, chosen in part, or in the whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the General Assembly, or General Court; with 20 powers legally to raise, levy, and assess, according to the several usage of such Colonies, duties and taxes towards defraying all sorts of public services.

This competence in the Colony Assemblies is certain. It is proved by the whole tenor of their Acts of Supply 25 in all the Assemblies in which the constant style of granting is “an aid to his Majesty;” and Acts granting to the Crown have regularly for near a century passed

the public offices without dispute. Those who have been pleased paradoxically to deny this right, holding that none but the British Parliament can grant to the Crown, are wished to look to what is done, not only in the Colonies, but in Ireland, in one uniform unbroken tenor every session. Sir, I am surprised that this doctrine should come from some of the law servants of the Crown. I say, that if the Crown could be responsible, his Majesty — but certainly the ministers, and even these law officers themselves, through whose hands the Acts pass, biennially in Ireland, or annually in the Colonies — are in a habitual course of committing impeachable offenses. What habitual offenders have been all Presidents of the Council, all Secretaries of State, all First Lords of Trade, all Attorneys, and all Solicitors General! However, they are safe, as no one impeaches them; and there is no ground of charge against them, except in their own unfounded theories.

The fifth resolution is also a resolution of fact —

That the said General Assemblies, General Courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his Majesty's service, according to their abilities, when required thereto by letter from one of his Majesty's principal Secretaries of State; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants have been at sundry times acknowledged by Parliament.

To say nothing of their great expenses in the Indian wars, and not to take their exertion in foreign ones, so

high as the supplies in the year 1695; not to go back to their public contributions in the year 1710, I shall begin to travel only where the Journals give me light, resolving to deal in nothing but fact, authenticated by Parliamentary record, and to build myself wholly on that solid basis.

On the 4th of April, 1748, a committee of this House came to the following resolution:—

*Resolved*, That it is the opinion of this Committee, that it is just and reasonable that the several Provinces and Colonies of Massachusetts Bay, New Hampshire, Connecticut, and Rhode Island, be reimbursed the expenses they have been at in taking and securing to the Crown of Great Britain the Island of Cape Breton and its dependencies. 15

The expenses were immense for such Colonies. They were above £200,000 sterling; money first raised and advanced on their public credit.

On the 28th of January, 1756, a message from the King came to us to this effect:— 20

His Majesty, being sensible of the zeal and vigor with which his faithful subjects of certain Colonies in North America have exerted themselves in defense of his Majesty's just rights and possessions, recommends it to this House to take the same into their consideration, and to enable his Majesty to give them such assistance as may be a proper reward and encouragement. 25

On the 3d of February, 1756, the House came to a suitable resolution, expressed in words nearly the same

as those of the message ; but with the further addition that the money then voted was as an *encouragement* to the Colonies to exert themselves with vigor. It will not be necessary to go through all the testimonies which your  
 5 own records have given to the truth of my Resolutions.  
 I will only refer you to the places in the Journals :—

Vol. xxvii. — 16th and 19th May, 1757.

Vol. xxviii. — June 1, 1758 ; April 26 and 30, 1759 ; March  
 26 and 31, and April 28, 1760 ; Jan. 9 and 20, 1761.

10 Vol. xxix. — Jan. 22 and 26, 1762 ; March 14 and 17, 1763.

Sir, here is the repeated acknowledgment of Parliament that the Colonies not only gave, but gave to satiety. This nation has formally acknowledged two things : first, that the Colonies had gone beyond their  
 15 abilities, Parliament having thought it necessary to reimburse them ; secondly, that they had acted legally and laudably in their grants of money and their maintenance of troops, since the compensation is expressly given as reward and encouragement. Reward is not  
 20 bestowed for acts that are unlawful ; and encouragement is not held out to things that deserve reprehension. My resolution, therefore, does nothing more than collect into one proposition what is scattered through your Journals. I give you nothing but your own ; and you  
 25 cannot refuse in the gross what you have so often acknowledged in detail. The admission of this, which will be so honorable to them and to you, will, indeed, be mortal to all the miserable stories by which the *passions of the* misguided people have been engaged in

an unhappy system. The people heard, indeed, from the beginning of these disputes one thing continually dinned in their ears, that reason and justice demanded that the Americans, who paid no taxes, should be compelled to contribute. How did that fact of their paying 5 nothing stand when the taxing system began? When Mr. Grenville began to form his system of American revenue, he stated in this House that the Colonies were then in debt two millions six hundred thousand pounds sterling money, and was of opinion they would 10 discharge that debt in four years. On this state, those untaxed people were actually subject to the payment of taxes to the amount of six hundred and fifty thousand a year. In fact, however, Mr. Grenville was mistaken. The funds given for sinking the debt did not prove 15 quite so ample as both the Colonies and he expected. The calculation was too sanguine; the reduction was not completed till some years after, and at different times in different Colonies. However, the taxes after the war continued too great to bear any addition, with 20 prudence or propriety; and when the burthens imposed in consequence of former requisitions were discharged, our tone became too high to resort again to requisition. No Colony, since that time, ever has had any requisition whatsoever made to it.

25

We see the sense of the Crown and the sense of Parliament on the productive nature of a *revenue by grant*. Now search the same Journals for the produce of the *revenue by imposition*. Where is it? Let us know the volume and the page. What is the gross, what is

the net produce ? To what service is it applied ? How have you appropriated its surplus ? What, can none of the many skillful index-makers that we are now employing find any trace of it ? Well, let them and that  
5 rest together. But are the Journals, which say nothing of the revenue, as silent on the discontent ? Oh, no ! a child may find it. It is the melancholy burthen and blot of every page.

I think then I am, from those Journals, justified in  
10 the sixth and last resolution, which is —

That it hath been found by experience that the manner of granting the said supplies and aids by the said General Assemblies hath been more agreeable to the said Colonies,  
and more beneficial and conducive to the public service  
15 than the mode of giving and granting aids in Parliament, to be raised and paid in the said Colonies.

This makes the whole of the fundamental part of the plan. The conclusion is irresistible. You cannot say that you were driven by any necessity to an exercise of  
20 the utmost rights of legislature. You cannot assert that you took on yourselves the task of imposing Colony taxes from the want of another legal body that is competent to the purpose of supplying the exigencies of the State without wounding the prejudices of the people.  
25 Neither is it true that the body so qualified, and having that competence, had neglected the duty.

The question now, on all this accumulated matter, is: whether you will choose to abide by a profitable experience, or a mischievous theory ; whether you choose

to build on imagination, or fact; whether you prefer enjoyment, or hope; satisfaction in your subjects, or discontent?

If these propositions are accepted, everything which has been made to enforce a contrary system, must, I take it for granted, fall along with it. On that ground, I have drawn the following resolution, which, when it comes to be moved, will naturally be divided in a proper manner:—

That it may be proper to repeal an Act, made in the seventh 10  
year of the reign of his present Majesty, intituled, An  
Act for granting certain duties in the British Colonies  
and Plantations in America; for allowing a drawback of  
the duties of Customs upon the exportation from this King-  
dom, of coffee and cocoa-nuts of the produce of the said 15  
Colonies or Plantations; for discontinuing the drawbacks  
payable on china earthenware exported to America; and  
for more effectually preventing the clandestine running of  
goods in the said Colonies and Plantations. — And that  
it may be proper to repeal an Act, made in the fourteenth 20  
year of the reign of his present Majesty, intituled, An  
Act to discontinue, in such manner, and for such time,  
as are therein mentioned, the landing and discharging,  
lading or shipping, of goods, wares, and merchandise,  
at the town and within the harbor of Boston, in the 25  
province of Massachusetts Bay, in North America. —  
And that it may be proper to repeal an Act, made in the  
fourteenth year of the reign of his present Majesty, in-  
tituled, An Act for the impartial administration of jus-  
tice, in the cases of persons questioned for any acts done 30  
by them, in the execution of the law, or for the sugges-

sion of riots and tumults, in the province of Massachusetts Bay, in New England. — And that it may be proper to repeal an Act, made in the fourteenth year of the reign of his present Majesty, intituled, An Act for  
5 the better regulating of the Government of the province of the Massachusetts Bay, in New England. — And, also, that it may be proper to explain and amend an Act, made in the thirty-fifth year of the reign of King Henry the Eighth, intituled, An Act for the Trial of Treasons  
10 committed out of the King's Dominions.

I wish, Sir, to repeal the Boston Port Bill, because (independently of the dangerous precedent of suspending the rights of the subject during the King's pleasure) it was passed, as I apprehend, with less regularity, and  
15 on more partial principles, than it ought. The corporation of Boston was not heard before it was condemned. Other towns, full as guilty as she was, have not had their ports blocked up. Even the Restraining Bill of the present Session does not go to the length of the  
20 Boston Port Act. The same ideas of prudence which induced you not to extend equal punishment to equal guilt, even when you were punishing, induced me, who mean not to chastise, but to reconcile, to be satisfied with the punishment already partially inflicted.  
25

Ideas of prudence and accommodation to circumstances prevent you from taking away the charters of Connecticut and Rhode Island, as you have taken away that of Massachusetts Colony, though the Crown has far  
*less power in the two former provinces than it enjoyed*



in the latter; and though the abuses have been full as great, and as flagrant, in the exempted as in the punished. The same reasons of prudence and accommodation have weight with me in restoring the charter of Massachusetts Bay. Besides, Sir, the Act which changes 5 the charter of Massachusetts is in many particulars so exceptionable, that if I did not wish absolutely to repeal, I would by all means desire to alter it, as several of its provisions tend to the subversion of all public and private justice. Such, among others, is the power in 10 the governor to change the sheriff at his pleasure, and to make a new returning officer for every special cause. It is shameful to behold such a regulation standing among English laws.

The Act for bringing persons accused of committing 15 murder under the orders of Government to England for trial is but temporary. That Act has calculated the probable duration of our quarrel with the Colonies and is accommodated to that supposed duration. I would hasten the happy moment of reconciliation; and there- 20 fore must, on my principle, get rid of that most justly obnoxious Act.

The Act of Henry the Eighth, for the Trial of Treasons, I do not mean to take away, but to confine it to its proper bounds and original intention; to make it 25 expressly for Trial of Treasons (and the greatest treasons may be committed) in places where the jurisdiction of the Crown does not extend.

Having guarded the privileges of local legislature, I would next secure to the Colonies a fair and unbiassed

judicature; for which purpose, Sir, I propose the following resolution: —

That, from the time when the General Assembly or General Court of any Colony or Plantation in North America shall have appointed by Act of Assembly, duly confirmed, a settled salary to the offices of the Chief Justice and other Judges of the Superior Court, it may be proper that the said Chief Justice and other judges of the Superior Courts of such Colony, shall hold his and their office and offices during their good behavior; and shall not be removed therefrom, but when the said removal shall be adjudged by his Majesty in Council, upon a hearing on complaint from the General Assembly, or on a complaint from the Governor, or Council, or the House of Representatives severally, or of the Colony in which the said Chief Justice and other Judges have exercised the said offices.

The next resolution relates to the Courts of Admiralty. It is this: —

That it may be proper to regulate the Courts of Admiralty, or Vice-Admiralty, authorized by the fifteenth Chapter of the Fourth of George the Third, in such a manner as to make the same more commodious to those who sue, or are sued, in the said Courts, and to provide for the more decent maintenance of the Judges in the same.

These Courts I do not wish to take away; they are in themselves proper establishments. This Court is one of the capital securities of the Act of Navigation. The *extent of its jurisdiction*, indeed, has been increased;

but this is altogether as proper, and is indeed on many accounts more eligible, where new powers were wanted, than a Court absolutely new. But Courts incommodiously situated in effect deny justice; and a Court partaking in the fruits of its own condemnation is a 5 robber. The Congress complain, and complain justly, of this grievance. *+ two ?*

These are the three consequential propositions. I have thought of too or three more; but they come rather too near detail, and to the province of executive 10 government, which I wish Parliament always to superintend, never to assume. If the first six are granted, congruity will carry the latter three. If not, the things that remain unropealed will be, I hope, rather unseemly incumbrances on the building, than very materially 15 detrimental to its strength and stability.

Here, Sir, I should close; but I plainly perceive some objections remain, which I ought, if possible, to remove. The first will be, that, in resorting to the doctrine of our ancestors, as contained in the preamble 20 to the Chester Act, I prove too much; that the grievance from a want of representation, stated in that preamble, goes to the whole of legislation as well as to taxation, and that the Colonies, grounding themselves upon that doctrine, will apply it to all parts of legisla- 25 tive authority.

To this objection, with all possible deference and humility, and wishing as little as any man living to impair the smallest particle of our supreme authority,

I answer, that *the words are the words of Parliament, and not mine*; and that all false and inconclusive inferences drawn from them are not mine, for I heartily disclaim any such inference. I have chosen the words  
5 of an Act of Parliament, which Mr. Grenville, surely a tolerably zealous and very judicious advocate for the sovereignty of Parliament, formerly moved to have read at your table in confirmation of his tenets. It is true that Lord Chatham considered these preambles as de-  
10 claring strongly in favor of his opinions. He was a no less powerful advocate for the privileges of the Americans. Ought I not from hence to presume that these preambles are as favorable as possible to both, when properly understood; favorable both to the rights of  
15 Parliament, and to the privileges of the dependencies of this Crown? But, Sir, the object of grievance in my resolution I have not taken from the Chester, but from the Durham Act, which confines the hardship of want of representation to the case of subsidies, and which  
20 therefore falls in exactly with the case of the Colonies. But whether the unrepresented counties were *de jure* or *de facto* bound, the preambles do not accurately distinguish; nor, indeed, was it necessary; for, whether *de jure* or *de facto*, the Legislature thought the exercise of  
25 the power of taxing, as of right, or as of fact without right, equally a grievance, and equally oppressive.

I do not know that the Colonies have, in any general way, or in any cool hour, gone much beyond the demand of immunity in relation to taxes. It is not fair to judge of the temper or dispositions of any man, or any set of

men, when they are composed and at rest, from their conduct or their expressions in a state of disturbance and irritation. It is, besides, a very great mistake to imagine that mankind follow up practically any speculative principle, either of government or of freedom, as far as it will go in argument and logical illation. We Englishmen stop very short of the principles upon which we support any given part of our Constitution, or even the whole of it together. I could easily, if I had not already tired you, give you very striking and 10 convincing instances of it. This is nothing but what is natural and proper. All government, indeed every human benefit and enjoyment, every virtue, and every prudent act, is founded on compromise and barter. We balance inconveniences; we give and take; we remit 15 some rights, that we may enjoy others; and we choose rather to be happy citizens, than subtle disputants. As we must give away some natural liberty to enjoy civil advantages, so we must sacrifice some civil liberties for the advantages to be derived from the communion and 20 fellowship of a great empire. But, in all fair dealings, the thing bought must bear some proportion to the purchase paid. None will barter away *the immediate jewel of his soul*. Though a great house is apt to make slaves haughty, yet it is purchasing a part of the artificial im- 25 portance of a great empire too dear, to pay for it all essential rights, and all the intrinsic dignity of human nature. None of us [who] would not risk his life rather than fall under a government purely arbitrary. But although there are some amongst us who think our

There are  
and

Constitution wants many improvements to make it a complete system of liberty, perhaps none who are of that opinion would think it right to aim at such improvement by disturbing his country, and risking everything that is dear to him. In every arduous enterprise we consider what we are to lose, as well as what we are to gain; and the more and better stake of liberty every people possess, the less they will hazard in a vain attempt to make it more. These are *the cords of man*.  
10 Man acts from adequate motives relative to his interest, and not on metaphysical speculations. Aristotle, the great master of reasoning, cautions us, and with great weight and propriety, against this species of delusive geometrical accuracy in moral arguments, as the most  
15 fallacious of all sophistry.

The Americans will have no interest contrary to the grandeur and glory of England, when they are not oppressed by the weight of it; and they will rather be inclined to respect the acts of a superintending legislature  
20 when they see them the acts of that power which is itself the security, not the rival, of their secondary importance. In this assurance my mind most perfectly acquiesces; and I confess I feel not the least alarm from the discontents which are to arise from putting people  
25 at their ease; nor do I apprehend the destruction of this empire, from giving, by an act of free grace and indulgence to two millions of my fellow-citizens, some share of those rights upon which I have always been taught to value myself.

It is said, indeed, that this power of granting, vested

in American Assemblies, would dissolve the unity of the empire, which was preserved entire, although Wales, and Chester, and Durham were added to it. Truly, Mr. Speaker, I do not know what this unity means; nor has it ever been heard of, that I know, in the constitutional policy of this country. The very idea of subordination of parts excludes this notion of simple and undivided unity. England is the head, but she is not the head and the members too. Ireland has ever had from the beginning a separate, but not an independent, legislature, which, far from distracting, promoted the union of the whole. Everything was sweetly and harmoniously disposed through both islands for the conservation of English dominion, and the communication of English liberties. I do not see that the same principles might not be carried into twenty islands, and with the same good effect. This is my model with regard to America, as far as the internal circumstances of the two countries are the same. I know no other unity of this empire than I can draw from its example during these periods, when it seemed to my poor understanding more united than it is now, or than it is likely to be by the present methods.

But since I speak of these methods, I recollect, Mr. Speaker, almost too late, that I promised, before I finished, to say something of the proposition of the Noble Lord on the floor, which has been so lately received and stands on your Journals. I must be deeply concerned whenever it is my misfortune to continue a difference

with the majority of this House. But as the reasons for that difference are my apology for thus troubling you, suffer me to state them in a very few words. I shall compress them into as small a body as I possibly  
5 can, having already debated that matter at large when the question was before the committee.

First, then, I cannot admit that proposition of a ransom by auction, because it is a mere project. It is a thing new, unheard of, supported by no experience, justified by no analogy, without example of our ancestors,  
10 or root in the Constitution. It is neither regular Parliamentary taxation nor Colony grant. *Experimentum in corpore vili* is a good rule, which will ever make me adverse to any trial of experiments on what is cer-  
15 tainly the most valuable of all subjects, the peace of this empire.

Secondly, it is an experiment which must be fatal in the end to our Constitution. For what is it but a scheme for taxing the Colonies in the ante-chamber of the Noble  
20 Lord and his successors? To settle the quotas and proportions in this House is clearly impossible. You, Sir, may flatter yourself you shall sit a state auctioneer, with your hammer in your hand, and knock down to each Colony as it bids. But to settle (on the plan laid down  
25 by the Noble Lord) the true proportional payment for four or five and twenty governments, according to the absolute and the relative wealth of each, and according to the British proportion of wealth and burthen, is a wild and chimerical notion. This new taxation must therefore come in by the back door of the Con-



stitution. Each quota must be brought to this House ready formed; you can neither add nor alter. You must register it. You can do nothing further. For on what grounds can you deliberate either before or after the proposition? You cannot hear the counsel 5 for all these provinces, quarreling each on its own quantity of payment and its proportion to others. If you should attempt it, the Committee of Provincial Ways and Means, or by whatever other name it will delight to be called, must swallow up all the time of 10 Parliament.

Thirdly, it does not give satisfaction to the complaint of the Colonies. They complain that they are taxed without their consent; you answer that you will fix the sum at which they shall be taxed. That is, you 15 give them the very grievance for the remedy. You tell them, indeed, that you will leave the mode to themselves. I really beg pardon, — it gives me pain to mention it, — but you must be sensible that you will not perform this part of the compact. For, suppose the Colonies were 20 to lay the duties, which furnished their contingent, upon the importation of your manufactures; you know you would never suffer such a tax to be laid. You know, too, that you would not suffer many other modes of taxation. So that, when you come to explain yourself, it 25 will be found that you will neither leave to themselves the quantum nor the mode, nor, indeed, anything. The whole is delusion from one end to the other.

Fourthly, this method of ransom by auction, unless it be *universally* accepted, will plunge you into great and

inextricable difficulties. In what year of our Lord are the proportions of payments to be settled? To say nothing of the impossibility that Colony agents should have general powers of taxing the Colonies at their discretion, consider, I implore you, that the communication by special messages and orders between these agents and their constituents on each variation of the case, when the parties come to contend together, and to dispute on their relative proportions, will be a matter of delay, perplexity, and confusion that never can have an end.

If all the Colonies do not appear at the outcry, what is the condition of those assemblies who offer, by themselves or their agents, to tax themselves up to your ideas of their proportion? The refractory Colonies who refuse all composition will remain taxed only to your old impositions, which, however grievous in principle, are trifling as to production. The obedient Colonies in this scheme are heavily taxed; the refractory remain unburthened. What will you do? Will you lay new and heavier taxes by Parliament on the disobedient? Pray consider in what way you can do it. You are perfectly convinced, that, in the way of taxing, you can do nothing but at the ports. Now suppose it is Virginia that refuses to appear at your auction, while Maryland and North Carolina bid handsomely for their ransom, and are taxed to your quota, how will you put these Colonies on a par? Will you tax the tobacco of Virginia? If you do, you give its death-wound to your English revenue at home, and to one of the very great-

est articles of your own foreign trade. If you tax the import of that rebellious Colony, what do you tax but your own manufactures, or the goods of some other obedient and already well-taxed Colony? Who has said one word on this labyrinth of detail, which bewilders you more and more as you enter into it? Who has presented, who can present you, with a clew to lead you out of it? I think, Sir, it is impossible that you should not recollect that the Colony bounds are so implicated in one another (you know it by your other experiments in the bill for prohibiting the New England fishery), that you can lay no possible restraints on almost any of them which may not be presently eluded, if you do not confound the innocent with the guilty, and burthen those whom, upon every principle, you ought to exonerate. He must be grossly ignorant of America, who thinks that, without falling into this confusion of all rules of equity and policy, you can restrain any single Colony, especially Virginia and Maryland, the central and most important of them all.

20

Let it also be considered that, either in the present confusion you settle a permanent contingent, which will and must be trifling, and then you have no effectual revenue; or you change the quota at every exigency, and then on every new repartition you will have a new quarrel.

Reflect, besides, that when you have fixed a quota for every Colony, you have not provided for prompt and punctual payment. Suppose one, two, five, ten years' arrears. You cannot issue a Treasury Extent against

the failing Colony. You must make new Boston Port Bills, new restraining laws, new Acts for dragging men to England for trial. You must send out new fleets, new armies. All is to begin again. From this day  
5 forward the Empire is never to know an hour's tranquillity. An intestine fire will be kept alive in the bowels of the Colonies, which one time or other must consume this whole Empire. I allow, indeed, that the empire of Germany raises her revenue and her troops  
10 by quotas and contingents; but the revenue of the empire, and the army of the empire, is the worst revenue, and the worst army, in the world.

Instead of a standing revenue, you will therefore have a perpetual quarrel. Indeed, the Noble Lord who pro-  
15 posed this project of a ransom by auction, seemed himself to be of that opinion. His project was rather designed for breaking the union of the Colonies, than for establishing a revenue. He confessed he apprehended that his proposal would not be to *their taste*.  
20 I say this scheme of disunion seems to be at the bottom of the project; for I will not suspect that the Noble Lord meant nothing but merely to delude the nation by an airy phantom which he never intended to realize. But whatever his views may be, as I propose the peace  
25 and union of the Colonies as the very foundation of my plan, it cannot accord with one whose foundation is perpetual discord.

Compare the two. This I offer to give you is *plain and simple*; the other, full of perplexed and

intricate mazes. This is mild, that harsh. This is found by experience effectual for its purposes; the other is a new project. This is universal; the other calculated for certain Colonies only. This is immediate in its conciliatory operation; the other remote, 5 contingent, full of hazard. Mine is what becomes the dignity of a ruling people, gratuitous, unconditional, and not held out as a matter of bargain and sale. I have done my duty in proposing it to you. I have indeed tired you by a long discourse; but this is the mis- 10 fortune of those to whose influence nothing will be conceded, and who must win every inch of their ground by argument. You have heard me with goodness. May you decide with wisdom! For my part, I feel my mind greatly disburthened by what I have done to-day. 15 I have been the less fearful of trying your patience, because on this subject I mean to spare it altogether in future. I have this comfort, that in every stage of the American affairs I have steadily opposed the measures that have produced the confusion, and may 20 bring on the destruction, of this Empire. I now go so far as to risk a proposal of my own. If I cannot give peace to my country, I give it to my conscience.

But what (says the financier) is peace to us without money? Your plan gives us no revenue. No! But it 25 does, for it secures to the subject the power of REFUSAL, the first of all revenues. Experience is a cheat, and fact a liar, if this power in the subject of proportioning his grant, or of not granting at all, has not been found the richest mine of revenue ever discovered by the skill

or by the fortune of man. It does not, indeed, vote you £152,750 11s. 2½d., nor any other paltry limited sum. But it gives the strong box itself, the fund, the bank, from whence only revenues can arise amongst a people  
5 sensible of freedom. *Posita luditur arca.* Cannot you, in England; cannot you, at this time of day; cannot you, a House of Commons — trust to the principle which has raised so mighty a revenue, and accumulated a debt of near one hundred and forty millions in this country? Is  
10 this principle to be true in England and false everywhere else? Is it not true in Ireland? Has it not hitherto been true in the Colonies? Why should you presume that, in any country, a body duly constituted for any function will neglect to perform its duty, and  
15 abdicate its trust? Such a presumption would go against all governments in all modes. But, in truth, this dread of penury of supply from a free assembly has no foundation in nature. For first observe that, besides the desire which all men have naturally of  
20 supporting the honor of their own government, that sense of dignity and that security to property which ever attends freedom, has a tendency to increase the stock of the free community. Most may be taken where most is accumulated. And what is the soil or  
25 climate where experience has not uniformly proved that the voluntary flow of heaped-up plenty, bursting from the weight of its own rich luxuriance, has ever run with a more copious stream of revenue than could be squeezed from the dry husks of oppressed indigence, by  
*the straining of all the politic machinery in the world?*

Next, we know that parties must ever exist in a free country. We know, too, that the emulations of such parties, their contradictions, their reciprocal necessities, their hopes, and their fears, must send them all in their turns to him that holds the balance of the state. The 5 parties are the gamesters; but Government keeps the table, and is sure to be the winner in the end. When this game is played, I really think it is more to be feared that the people will be exhausted than that Government will not be supplied. Whereas, whatever 10 is got by acts of absolute power ill obeyed because odious, or by contracts ill kept because constrained, will be narrow, feeble, uncertain, and precarious.

“Ease would retract  
Vows made in pain, as violent and void.”

15

I, for one, protest against compounding our demands; I declare against compounding, for a poor limited sum, the immense, ever-growing, eternal debt, which is due to generous government from protected freedom. And so may I speed in the great object I propose to you, as 20 I think it would not only be an act of injustice, but would be the worst economy in the world to compel the Colonies to a sum certain, either in the way of ransom or in the way of compulsory compact.

But to clear up my ideas on this subject: a revenue 25 from America transmitted hither — do not delude yourselves — you never can receive it; no, not a shilling. We have experience that from remote countries it is not to be expected. If, when you attempted to extract

revenue from Bengal, you were obliged to return in loan what you had taken in imposition, what can you expect from North America? For certainly, if ever there was a country qualified to produce wealth, it is  
5 India; or an institution fit for the transmission, it is the East India Company. America has none of these aptitudes. If America gives you taxable objects on which you lay your duties here, and gives you, at the same time, a surplus by a foreign sale of her commodities to pay the duties on these objects, which you  
10 tax at home, she has performed her part to the British revenue. But with regard to her own internal establishments, she may, I doubt not she will, contribute in moderation. I say in moderation, for she ought not to  
15 be permitted to exhaust herself. She ought to be reserved to a war, the weight of which, with the enemies that we are most likely to have, must be considerable in her quarter of the globe. There she may serve you, and serve you essentially.

20 For that service, for all service, whether of revenue, trade, or empire, my trust is in her interest in the British Constitution. My hold of the Colonies is in the close affection which grows from common names, from kindred blood, from similar privileges, and equal protection.  
25 These are ties, which, though light as air, are as strong as links of iron. Let the Colonists always keep the idea of their civil rights associated with your government — they will cling and grapple to you, and no force under heaven will be of power to tear them from their allegiance. But let it be once understood that your govern-



ment may be one thing, and their privileges another; that these two things may exist without any mutual relation—the cement is gone, the cohesion is loosened, and everything hastens to decay and dissolution. As long as you have the wisdom to keep the sovereign authority of this country as the sanctuary of liberty, the sacred temple consecrated to our common faith, wherever the chosen race and sons of England worship freedom, they will turn their faces toward you. The more they multiply, the more friends you will have; the more ardently they love liberty, the more perfect will be their obedience. Slavery they can have anywhere. It is a weed that grows in every soil. They may have it from Spain, they may have it from Prussia. But until you become lost to all feeling of your true interest and your natural dignity, freedom they can have from none but you. This is the commodity of price, of which you have the monopoly. This is the true Act of Navigation, which binds to you the commerce of the Colonies, and through them secures to you the wealth of the world. Deny them this participation of freedom, and you break that sole bond, which originally made, and must still preserve, the unity of the Empire. Do not entertain so weak an imagination, as that your registers and your bonds, your affidavits and your sufferances, your cockets and your clearances, are what form the great securities of your commerce. Do not dream that your letters of office, and your instructions, and your suspending clauses, are the things that hold together the great contexture of the mysterious whole. These things do

not make your government. Dead instruments, passive tools as they are, it is the spirit of the English communion that gives all their life and efficacy to them.

It is the spirit of the English Constitution, which infused through the mighty mass, pervades, feeds, unites, invigorates, vivifies every part of the Empire, even down to the minutest member.

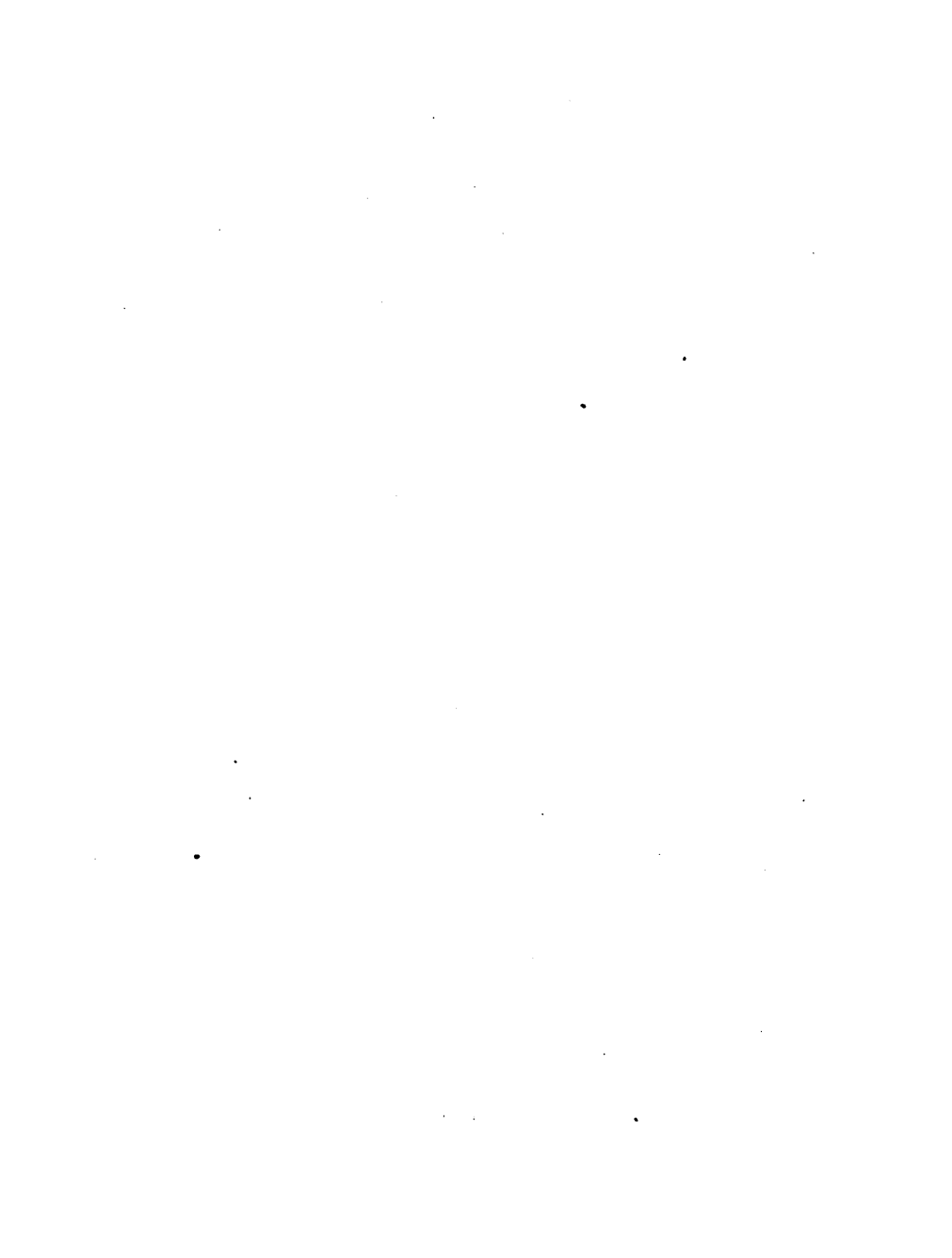
Is it not the same virtue which does everything for us here in England? Do you imagine, then, that it is the Land Tax Act which raises your revenue? that it is the annual vote in the Committee of Supply which gives you your army? or that it is the Mutiny Bill which inspires it with bravery and discipline? No! surely no! It is the love of the people, it is their attachment to their government, from the sense of the deep stake they have in such a glorious institution, which gives you your army and your navy, and infuses into both that liberal obedience, without which your army would be a base rabble, and your navy nothing but rotten timber.

All this, I know well enough, will sound wild and chimerical to the profane herd of those vulgar and mechanical politicians who have no place among us; a sort of people who think that nothing exists but what is gross and material; and who, therefore, far from being qualified to be directors of the great movement of empire, are not fit to turn a wheel in the machine. But to men truly initiated and rightly taught, these ruling and master principles which, in the opinion of *such men* as I have mentioned, have no substantial exis-

tence, are in truth everything, and all in all. Magnanimity in politics is not seldom the truest wisdom; and a great empire and little minds go ill together. If we are conscious of our station, and glow with zeal to fill our places as becomes our situation and ourselves, we ought to auspicate all our public proceedings on America with the old warning of the church, *Sursum corda!* We ought to elevate our minds to the greatness of that trust to which the order of Providence has called us. By adverting to the dignity of this high calling, our ancestors have turned a savage wilderness into a glorious empire, and have made the most extensive, and the only honorable conquests, not by destroying, but by promoting the wealth, the number, the happiness, of the human race. Let us get an American revenue as we have got an American empire. English privileges have made it all that it is; English privileges alone will make it all it can be.

In full confidence of this unalterable truth, I now (*quod felix faustumque sit*) lay the first stone of the temple of peace; and I move you —

That the Colonies and Plantations of Great Britain in North America, consisting of Fourteen separate governments, and containing Two Millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any Knights and Burgesses, or others, to represent them in the High Court of Parliament.



## NOTES.



## INTRODUCTORY NOTE.

THE young student is supposed to be acquainted with the principal events of the twelve years' constitutional struggle that preceded the delivery of this speech. What happened in America he will find presented in any good United States History, such as *Fiske* or *Johnston*, or much better in *Hosmer's Samuel Adams (Am. Commonwealth Series)*. The situation in England is concisely and clearly portrayed in *Green's Short History of the English People, Chapter X., Sec. ii.* See also *Macaulay's Second Essay on the Earl of Chatham*, for a brilliant grouping with Pitt as central figure:

|   |       |
|---|-------|
| <b>Sir.</b> Addressing the speaker. <b>austerity of the Chair</b> = the dignity of the House as personified in the Speaker.   | 1 : 2 |
| <b>grand penal Bill.</b> This was the act proposed by Lord North on Feb. 10, 1775, and was entitled "An Act to restrain the Commerce of the Provinces of Massachuset's Bay and New Hampshire, and Colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British Islands in the West Indies; and to prohibit such Provinces and Colonies from carrying on any Fishery on the Banks of Newfoundland, and other places therein mentioned, under certain conditions and limitations." | 9     |
| <b>mixture of coercion and restraint.</b> Referring to the provisions of the Act just mentioned.  | 2 : 4 |
| <b>When I first had the honor</b> ; i.e., in 1765 — the year when the Stamp Act was passed.   | 10    |
| <b>blown about by every wind, etc.</b> Ephesians iv. 14. The phraseology of Burke, Bright, and Gladstone shows an intimate acquaintance with the literature of the Bible — the version of 1611. (The revised version is better Greek, but not better English.)  | 25    |

- 2 : 29      **At that period.** When the Stamp Act was repealed (Feb. 21, 1766).
- 3 : 16      **Everything administered.** The Tea-Tax; the Boston Port Bill; the Massachusetts Colony Bill; the Transportation Bill; the Quebec Act. Consult your United States History under the years 1770-1774.
- 21      **a situation . . . which I dare not name.** The battle of Lexington was fought less than a month after the delivery of this speech.
- 25      **a worthy member:** Mr. Rose Fuller. He owes his accidental immortality entirely to this reference by Burke.
- 4 : 17      **platform:** in the old sense of *sketch* or *plan*. So used by Bacon in his Essay, "Of Gardens" (last paragraph).
- 5 : 2      **disreputably** = with discredit (to the maker of the proposition).
- 7      **paper government.** Perhaps Burke was thinking of Carolina, which had the misfortune to have its first constitution drawn up by the metaphysician Locke. He proposed to have society organized along feudal lines — barons, landgraves, "caziques," and serfs. The serfs were to be bought and sold with the soil. The plan was a ridiculous failure — like the dropsical constitutions of some of our recently admitted States.
- 6 : 13      **the shadowy boundaries.** This figure seems to be an echo from Pope's *Essay on Man*, ii., 205-210.
- Extremes in Nature equal ends produce,  
In Man they join to some mysterious use;  
Tho' each by turns the other's bound invade,  
As, in some well-wrought picture, light and shade,  
And oft so mix, the difference is too nice  
Where ends the Virtue, or begins the Vice.
- Burke was fond of painting, and a good judge of pictures; "The best I know," said Sir Joshua Reynolds.
- 6 : 19      **former unsuspecting confidence.** "The Congress [at Philadelphia] has used an expression with regard to this pacification, which appears to me truly significant. After the repeal of the Stamp Act, 'the Colonies fell,' says this Assembly, 'into their ancient state of *unsuspecting confidence in the mother country*.' This *unsuspecting confidence* is the true center of gravity amongst mankind, about which all the parts are at rest. It is this *unsuspecting confidence* that removes all



difficulties, and reconciles all the contradictions which occur in the complexity of all ancient, puzzled, political establishments."—*Burke's Letter to the Sheriffs of Bristol* (1777).

**the Noble Lord in the Blue Ribbon:** Lord North, the only member of the House of Commons who was then a Knight of the Garter, and was therefore entitled to wear the Blue Ribbon of that order. Notice that he was a "Lord" only by courtesy; his father (the Earl of Guildford) did not die until 1790; until that date, therefore, "Lord" North was, in the eyes of the law, a commoner, and eligible to a seat in the House of Commons. Similarly, in our own time, the Marquis of Hartington has been for many years a distinguished member of the House of Commons; by the recent death of his father he has become a member of the House of Peers under the title of the Duke of Devonshire.

**The project** referred to is criticised at length by Burke near the close of this speech (see pp. 77-85); it is outlined in the following Resolution passed by the House on Feb. 27, 1775:—

"That when the Governor, Council, or Assembly, or General Court, of any of his Majesty's Provinces or Colonies in America, shall *propose* to make provision, *according to the condition, circumstances, and situation*, of such Province or Colony, for contributing their *proportion* to the *Common Defence* (such *proportion* to be raised under the Authority of the General Court, or General Assembly, of such Province or Colony, and disposable by Parliament), and shall engage to make provision also for the support of the Civil Government, and the Administration of Justice, in such Province or Colony, it will be proper, *if such Proposal shall be approved by his Majesty, and the two Houses of Parliament*, and for so long as such Provision shall be made accordingly, to forbear, *in respect of such Province or Colony*, to levy any duty, Tax, or Assessment, or to impose any further Duty, Tax, or Assessment, except such duties as it may be expedient to continue to levy or impose, for the Regulation of Commerce; the Nett Produce of the Duties last mentioned to be carried to the account of such Province or Colony respectively."

**mace.** The crowned club or scepter which lies on the table of the House, and is symbolical of its authority. If debaters become angry or personal, the speaker directs the Sergeant-at-

7 : 8

7 : 10

arms to advance the mace between the disputants: this implied threat of discipline generally quiets even an Irish member. When Cromwell "purged" the House of Commons, he is reported to have pointed to the mace, and to have said: "Take away that bauble."

7 : 22      **our Address.** An address to the King, urging him to action against the American "rebels," had recently passed the House.

23      **Bills of Pains and Penalties.** See note on 3:6.

8 : 24      **peace with honor.** This phrase has become famous in recent years, from its employment by Disraeli in the speech with which he celebrated his triumphant return from the Congress of Berlin (1878). "I bring you peace," said he to the mob of Jingoos who howled under the windows of the Foreign Office; "I bring you Peace; and Peace with Honor."

28      **that time and those chances.** Compare *Julius Caesar*, iv. iii. 216-219:—

There is a tide in the affairs of men  
Which, taken at the flood, leads on to fortune;  
Omitted, all the voyage of their life  
Is bound in shallows and in miseries.

9 : 23      **the number of people.** The most recent authorities put the number at "about 2,600,000,"—or slightly over Burke's estimate. Virginia came first, with 560,000; Massachusetts next, with 360,000; Georgia last, with 30,000. The cities of New York and Brooklyn alone contained 2,321,644 people in 1890; to-day they probably contain a larger population than did the whole of the American Colonies 120 years ago. Yet one might experience some trouble to-day in finding in New York and Brooklyn a Franklin, a Washington, a Jefferson, a Hamilton. Herein lies food for thought.

10 : 5-14      Notice the effective use of antithesis and of parallel constructions in this passage.

16      **the front of our deliberation.** Compare *Othello*, i. iii. 81-82:—

The very head and front of my offending  
Hath this extent, no more.

19      **occasional** = irregular, fitful.

21      **those minima.** Referring to the proverb, *De minimis non curat lex* (The law does not concern itself about trifles); i.e.,

courts of justice overlook trifling irregularities in a law, so long as these irregularities do not affect the public interest.

**a distinguished person:** Richard Glover (1712-85), merchant, politician, and versifier. He was esteemed a poet in his day, on the strength of a dull ballad (*Admiral Hosier's Ghost*) and two long and dreary epics, *Leonidas* and *The Athenaid* (in thirty books!). The former was published in 1737, at which time Swift was still living; Pope, Bolingbroke, Thomson and Young were in their literary prime; Fielding, Richardson, and Johnson had begun to write. Burke's characterization of him, then, as "one of the first literary characters of his age," is supremely ridiculous, even as an oratorical compliment. The fact is, Glover was such a bad poet that it is a wonder he escaped being appointed Poet-Laureate. The only thing that saved him was the existence of Whitehead, who, being even a greater adept than Glover in the art of sinking in poetry, received the appointment in 1757.

**Davenant.** Charles Davenant (1656-1714), Member of Parliament, Inspector of Plays, and Inspector-General of Exports and Imports. Macaulay<sup>1</sup> calls him "an acute and well-informed, though most unprincipled and and rancorous politician." He was the son of Sir William Davenant, the poet, who claimed to be the godson of Shakespeare.

**the African.** A euphemism for the slave-trade.  
**six millions.** For the year 1891 the exports of Great Britain to the United States, Canada, the West Indies, and Africa amounted to £51,598,998; of this, £27,544,553 went to the United States.

**It is good for us to be here.** Mark ix. 5.

**Lord Bathhurst.** Allen Apsley Bathhurst was born in 1684, and died about six months after the delivery of this speech. He was made Baron in 1712, and Earl in 1772. Though a Tory politician of some prominence, he found time to cultivate the friendship of such men as Pope, Swift, Congreve, and Sterne. By the first mentioned he was held in especial esteem: to him Pope dedicated that famous *Epistle on the Use of Riches*, which opens:

Who shall decide, when doctors disagree  
And soundest casuists doubt, like you and me?

<sup>1</sup> History of England, chapter iii.

11 : 8

12 : 8

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13 : 9

14 : 17  
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Lines 219-228 contain this fine compliment to Bathurst:—

The sense to value riches, with the art  
T' enjoy them, and the virtue to impart,  
Not meanly, nor ambitiously pursu'd,  
Not sunk by sloth, nor rais'd by servitude;  
To balance fortune by a just expense,  
Join with economy, magnificence;  
With splendor, charity; with plenty, health;  
O teach us, Bathurst! yet unspoiled by wealth!  
That secret rare between the extremes to move  
Of mad good-nature and of mean self-love.

14 : 29

**acta parentum.** Virgil, Ecl. iv. 26-27:—

At simul heroum laudes et facta parentis  
Jam legere et quae sit poteris cognoscere virtus,—

“But soon as thou shalt be of an age to read at length of the  
glories of heroes and thy father's deeds, and to acquaint thyself with  
the nature of manly worth,”—

15 : 4

**in the fourth generation the third prince, etc.**

George I., 1714-1727.

George II., 1727-1760.

[Frederic, P. of Wales, died 1751.]

George III., 1760-1820.

7

**was to be made Great Britain.** Scotland had wisely  
been united to England by the Long Parliament in 1652. At  
the Restoration (1660) Charles II. refused to recognize this  
Union, perceiving that by so doing he could weaken the political  
influence of Puritanism. After long and bitter opposition  
in both countries, they were again united by the Treaty of  
Union in 1707. The united valor and the patriotism of the  
Scotch had practically preserved the independence of their  
country through more than four hundred years; when they  
united with England, then, they were in a position to demand  
honorable and advantageous terms. Contrast this with the  
case of Ireland, where the lawlessness and petty jealousies  
of the native chiefs invited English conquest. Cromwell  
“united” Ireland to England by fire and sword; Charles II.  
dissolved the Union; Pitt reunited her in 1800 by expending  
\$5,000,000 in bribes to Irish “statesmen,” and by distributing

places and pensions galore. To-day the Irish question seems as far from settlement as ever, while Scotland is peaceful and prosperous.

**his son.** Henry, the eldest son of Lord Bathurst, was made Lord Chancellor in 1771, with the title of Baron Apsley.

**before you taste of death.** Compare *Julius Caesar*, II. ii. 32, 33.

Cowards die many times before their deaths;  
The valiant never taste of death but once.

For the Biblical origin of the phrase, see Matthew xvi. 28; John viii. 52.

**close the setting of his day.** Possibly an echo from Johnson's *Vanity of Human Wishes*, 311, 312:—

But few there are whom hours like these await,  
Who set unclouded in the gulfs of Fate.

Mr. E. J. Payne, (an English authority) tells us that this fine passage concludes "in a higher strain of rhetoric than is now permissible in Parliamentary speaking." This suggests two queries: (1) Have you now a Burke, capable of originating such a high strain? (2) If you have, and if parliamentary custom does not permit him to deliver it, is not your Middle-class Parliament even more stupid than its severest critics declare it to be?

**deceive** = beguile, alleviate, lighten: a poetic Latinism (*fallo*). Compare Virgil, *Æneid*, iv. 84, 85:—

Aut gremio Ascanium, genitoris imagine capta,  
Detinet, infandum si fallere possit amorem,—

thus translated by Dryden:—

Or in her bosom young Ascanius bears,  
And seeks the father's image in the child,  
If love by likeness might be so beguiled.

**comprehending** = including.

**a Roman charity.** The story here referred to is given in different versions by different Latin authors. Hyginus tells us that it was a daughter who saved her imprisoned father from starvation by nourishing him from her own breasts.

**whale fishery.** Massachusetts was the colony chiefly interested in the whale fishery. In 1758 she had 304 vessels (tonnage, 28,000) engaged in that industry. The maximum

15 : 8

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16 : 6

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was reached in 1854, when the United States owned 668 whaling vessels (tonnage 208,399). Whales have now become so scarce, and other substances have so largely superseded whale-oil, that the business has shrunk to insignificant proportions.

18 : 6     **the frozen serpent.** There is a constellation lying across the Antarctic Circle called the Serpent. Its northernmost star is not visible until you reach latitude 28° North.

7     **Falkland Island :** more correctly Falkland Islands. They were discovered in 1592, and, on account of their barrenness, were not considered worth colonizing at that time. Through the growth of the whale-fisheries they acquired a temporary importance as a refitting station.

18 : 13     **run the longitude.** This expression is still used to-day, but is not common. Its disuse is attributable to the advance in the science of navigation brought about by improved instruments. Literally "run the longitude" means run east or west; practically it might mean any direction east or west of north or south. The expression, therefore, may be properly used to indicate any direction or point of the compass lying south of east or west, except south itself.

A similar expression is used in connection with latitude: "run down the (or your) latitude," is more frequently heard than the expression Burke uses. As a matter of fact, running down the latitude is to this day practiced to some extent by masters of schooners and other small vessels on our coasts, who are unskilled in the mysteries of navigation, their knowledge of the subject being limited to "dead reckoning" and the simple problem of determining the latitude from the observed altitude of the sun at noon. Thus, having "run down their latitude" they sail east or west, and so, in time, arrive at their port of destination in a sort of instinctive way bred of their practical knowledge of the sea.<sup>1</sup>

15     **No sea but what is vexed.** Compare *Paradise Lost*, i. 305-307:—

... when with fierce winds Orion armed  
Hath vexed the Red Sea coast, whose waves o'erthrew  
Busiris and his Memphian chivalry.

<sup>1</sup> For the substance of this note I am indebted to the courtesy of Captain C. S. Cotton of the U. S. S. Philadelphia.

No climate, etc. Evidently suggested by *Æneid*, i. 459, 460:—

Quis jam locus, inquit, Achate,  
Quae regio in terris nostri non plena laboris?

“‘Is there, friend,’ he cries, ‘a spot  
That knows not Troy’s unhappy lot?’”

I pardon something to the spirit of liberty. The fine passage closed by this sentence has all the essentials of poetry except versification. For the sentiment, compare the closing lines of Mill’s “*Essay on Liberty*.”

complexions = temperament, disposition. This is the original meaning of the word. Compare *Hamlet*, i. iv. 27, 28:—

By the o’ergrowth of some complexion  
Oft breaking down the pales and forts of reason.

Terror is not always the effect of force; and an armament is not a victory. Burke is terribly long-winded at times, yet when he chooses he can be (as here) as finely sententious as Tacitus. Compare the *Agricola*, chapter 30:—  
“*ubi solitudinem faciunt, pacem appellant.*”

when this part of your character was most prominent. Plymouth Colony was founded in 1620; Massachusetts Bay in 1628; Connecticut between 1630 and 1639; and there was a steady immigration to them so long as the tyranny of Charles I. and Laud endured. When the Puritans gained control of the government of England, this immigration fell off materially.

Abstract liberty . . . is not to be found. Liberty inheres in some sensible object. If all political orators had but taken to heart this maxim, what oceans of frothy declamation we should have been spared! In spite of all the theorizing about Liberty, Liberty is a very simple thing: it is the right to live your own life in your own way, subject only to the condition that your actions be not harmful to others.

contests in the ancient commonwealths. Consult a History of Rome under the years 496-494, 451, 443, 367 B.C.

ablest pens: Selden, Swift, Bolingbroke. most eloquent tongues: Pym, Hampden, Vane. The last mentioned was executed after the Restoration.

Imagination = opinion.

18: 16

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- 23: 16     **popular** = of the people (*populus*), democratic.
- 24: 4     **dissenting churches.** The Church of England people call all Protestant sects except their own Dissenters (from the established church).
- 12     **under the nursing care,** of Henry VIII., Edward VI., and Elizabeth.
- 21     **the dissidence of dissent, etc.**  
       "Nowhere has Puritanism found so adequate an expression as in the religious organization of the Independents. The modern Independents have a newspaper, *The Nonconformist*, written with great sincerity and ability. The motto, the standard, the profession of faith, which this organ of theirs carries aloft is: 'The Dissidence of Dissent and the Protestantism of the Protestant religion.' There is sweetness and light, and an ideal of complete harmonious human perfection! One need not go to culture and poetry to find language to judge it. Religion, with its instinct for perfection, supplies language to judge it, language, too, which is in our mouths every day. 'Finally, be of one mind, united in feeling,' says St. Peter. There is an ideal which judges the Puritan ideal: 'The Dissidence of Dissent and the Protestantism of the Protestant religion!'" — MATTHEW ARNOLD, *Culture and Anarchy*, chapter i.
- 25: 29     **people of the Southern Colonies.** For an incomparable picture of 18th century life in Colonial Virginia, see Thackeray's *Virginians*, chapters iii.-xiii.
- 26: 2     **Gothic;** incorrectly used for Teutonic. But this is not as bad as Shelley, who speaks of the Austrians as Kelts (*Euganean Hills*, 223).
- 3     **the Poles.** Poland was first partitioned (i.e., enslaved) by the three robbers, Russia, Austria, and Prussia, in 1772.
- 20     **Plantations** = colonies. The official name of Rhode Island, according to the charter of 1663, was Rhode Island and Providence Plantations.
- 27     **successful chicane.** When General Gage prohibited the calling of a town-meeting in Boston, the colonial leaders declared each successive meeting merely *adjourned*, and so bestowed upon it legal immortality. Gage was actually stupid and weak enough to let this flimsy obstacle delay his action. For the particulars, see Hosmer's *Samuel Adams*, chapter xix.
- 27: 3     **my honorable and learned friend:** Edward Thurlow, at this time Attorney-General; in 1778 created Lord Chancellor. He was a man of some ability, who managed to get on



the wrong side of almost every public question he touched. He opposed the Americans, defended Warren Hastings, and supported the slave-trade — all with equal violence. Much of his success in life was due to his conscientious adherence to the (Thackerayan) maxim that if you want comfortable standing ground, stamp on your neighbor's toe. Do you think he won't pull it out of the way?

**Abeunt studia in mores:** "Pursuits pass into character:" from Ovid, *Heroides*, xv. 83.

**in weakening government.** For illustration, notice the case of Governor Andros, who was deposed by the New Englanders and deported by them to England in 1689.

**winged ministers of vengeance.**

Qualem ministrum fulminis alitem,  
Cui rex deorum regnum in ayes vagas  
Permisit — *HORACE, Carm. iv. 4, 1-3.*

"Like as the thunder-bearing bird  
On whom o'er all the fowls of air  
Dominion was by Jove conferred" —

**pounces** = claws, talons.

**So far shalt thou go, etc.** Read Thackeray's fine ballad of King Canute. The origin of the phrase is evidently in the eleventh verse of that magnificent lyric, the thirty-eighth chapter of Job.

**Nothing worse happens, etc.** Notice how this abstract statement is vivified by the concrete illustrations that follow.

"No reckoning made, but sent to my account  
With all my imperfections on my head. — *Hamlet*, I. v. 78, 79.

**Lord Dunmore:** the last royal Governor of Virginia, appointed in 1771. His arbitrary measures made him extremely unpopular. After Lexington, he fled from the colony, and established himself on board the English fleet, which, under his direction, harried the coast for more than a year. After the war he was appointed Governor of the Bermudas.

Patriotism must have been almost dead in England when such a convincing historical argument as this could fall upon deaf ears.

**They have already so occupied:** as in the case of the Massachusetts immigrants who founded the Connecticut towns of Weathersfield (1634), Windsor (1635), and Hartford (1636).

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30: 22

32: 5-13

33: 28

- 34: 7    a square of five hundred miles; the western boundary being the Mississippi. Thence the Spaniards claimed to the Pacific.
- 34: 18    the command . . . of Providence. Genesis ix. 1.  
21    given to the children of men. Psalms cxv. 16.
- 36: 1    *Spoliatis arma supersunt.* "To the plundered remain arms. — *Juvenal*, viii. 124.
- 9    your speech would betray you. Matthew xxvi. 73.
- 17    dragooning: persecution by means of armed force (dragoons).
- 22    burn their books of curious science. Acts xix. 19.
- 28    more chargeable = more expensive.
- 30    difficult to be kept in obedience. The Long Parliament, created the Cromwellian army, and the army abolished the Parliament.
- 37: 8    History furnishes few instances, etc. One of the most admirable things about Burke is his constant reference to the teachings of history. Of no subject are the American people more ignorant than of this; when we look at our national legislation for the last thirty-five years, it seems as if our public men had learned almost nothing from twenty-five hundred years of European experiences.
- 15    other people: the Spartans under Cleomenes III. (third century B.C.); the Romans after Cannae (216 B.C.). This does not exhaust the instances.
- 23    their refusal. "[In 1769, the Virginia House of Burgesses] unanimously adopted an agreement drawn by George Mason and presented by George Washington, not to import or purchase any English commodities, or *any slaves*, until their rights were redressed." — *John Esten Cooke's Virginia*, III. vi. (p. 401, edition of 1885).
- 28    It would be curious, etc. The English have seldom cared about moral consistency when there was a shilling to be made by disregarding it. Witness the iniquitous opium war of 1842, when that deadly drug was forced upon the protesting Chinese, at the cannon's mouth, by a nation whose state religion is Christianity.
- 38: 6    Ye gods, etc. There is a tradition that this is from one of Dryden's plays; and it certainly sounds like Maximin in *Tyrannic Love*, or like Antony in *All for Love*; but diligent

search fails to reveal it in either of these places. It is quoted in *The Art of Sinking in Poetry*, chapter xi., as a burlesque example of "The Hyperbole or The Impossible." See Court-hope and Elwin's *Pope*, vol. x., p. 381.

**alterative** = having power to restore healthy functions: a medical term, used here with admirable precision.

**Sir Edward Coke**, Attorney-General from 1594 to 1616. He was a fine specimen of the legal bully. We have the following record<sup>1</sup> of his behavior at Raleigh's trial (1603). "*Coke*: 'I will prove you the notorious traitor that ever came to the bar.' *Raleigh*: 'Your words cannot condemn me; my innocence is my defence.' *Coke*: 'Thou art a monster. Thou hast an English face, but a Spanish heart.'"

**empire**. The flourishing condition of the British Empire to-day shows that her statesmen have at last learned the lesson Burke here so finely teaches.

**ex vi termini**: from the very force of the term.

**ban** = sentence of outlawry. Originally the **ban** was merely an edict or proclamation summoning to arms.

**addressed** = presented an address to the King. See note on 3: 16.

**correctly right** is certainly a curious tautology.

**startle**, here used intransitively. Compare Ben Jonson, *Alchemist*, iv. i. 23-26.

Physic or mathematics,

Poetry, state . . . as I told you

She will endure and never startle; but

No word of controversy.

The quotation is from *Paradise Lost*, ii. 592-594. It is more than doubtful if the Tory squires who listened to Burke understood the quotation, or appreciated the delightful irony that precedes it.

**a revenue act**. The Stamp Act; repealed in 1766.

**American financiers**: not "financiers that are Americans," but "financiers who think America could be made to yield us a revenue by taxation."

**a gentleman of real moderation**. A Mr. Rice—to fame and biographical dictionaries unknown.

**shall**, here implies not futurity, but almost duty or obligation.

<sup>1</sup> In Howell's *State Trials*, vol. ii.

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tion: very common in this sense in Middle English. Compare the German *Sollen*.

**46 : 21**      **the Acts of Navigation.** The original Navigation Act was passed in 1651, and was part of the English war-policy against the Dutch. It prohibited foreign vessels from bringing to England any products save those of the countries to which they belonged. In 1672 the law was made more stringent; importations from Asia, Africa, and America were entirely prohibited unless brought in English ships. When the American colonies achieved independence, they passed retaliatory laws: we then beheld the edifying spectacle of the ships of each nation making half the round trip empty, and the consumers at each end paying double freight. This attempt of two nations to grow rich by plundering each other flourished until 1814, when it was brought to an end by the Treaty of Ghent. It revived, in modified form, in the absurd Shipping Laws of our Reconstruction period.

**47 : 12**      **the pamphlet:** probably the "Four Tracts, together with Two Sermons on Political and Commercial Subjects," by Josiah Tucker, Dean of Gloucester. The writer's views remind one of Captain Lismahago's unanswerable argument as to the benefits *England* had received from her union with Scotland. The good dean wished England to throw away her American Colonies as of no value, nor would he have her take them back until they humbly petitioned for the inestimable privilege of subjection to the mother-country.

**49 : 23**      **Philip the Second** (1555-1598) married Queen Mary of England. During the early part of his reign Spain was the first country in Europe.

**50 : 3**      **Ireland.** See note on **15 : 7**.

**16**      **Magna Charta.** Consult Green's *Short History of the English People*, chapter iii., sections ii., iii.

**25**      **Sir John Davis**, or more correctly *Davies* (1569-1626): rake, wit, poet, and lawyer; author of *Discoverie of the True Causes why Ireland Was Never Entirely Subdued until the Beginning of His Majesty's Happy Reign* (1612). He was well acquainted with the state of Ireland, having resided there from 1603 to 1616, and having filled there the offices of solicitor-general, attorney-general, and speaker of the House of Commons.

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|--|---------|
| <b>the Revolution</b> , of 1688, when Parliament deposed James II., and (practically) elected William of Orange king.  | 50 : 14 |
| <b>great and flourishing kingdom</b> . Burke draws largely upon his imagination here. For a true description of Irish society in 1771, see Thackeray's <i>Barry Lyndon</i> , chapter xiv. Ireland is to-day a <b>disgrace and burthen intolerable</b> to England, just as the negro problem is to us; if she has never been <b>formally taxed</b> , she has been informally taxed, by rack-renting, even below the limit of subsistence. | 51 : 15 |
| <b>Henry the Third</b> : 1216-1272; <b>Edward the First</b> : 1272-1307.   | 52 : 5  |
| <b>lords marchers</b> . See the Introduction and the first chapter of Scott's <i>The Betrothed</i> ; also, Green's <i>History</i> , chapter iv., section i.  | 12      |
| <b>secondary</b> (noun) = deputy. This use of the word is rare now, except as applied to a minor officer of a cathedral. See <i>Measure for Measure</i> , I. i. 47, 48.  | 17      |
| — old Escalus,<br>Though first in question, is thy secondary.  |         |
| <b>rid</b> : old preterite for <i>rode</i> .   | 53 : 19 |
| <b>the twenty-seventh year of Henry the Eighth</b> : i.e., in 1535.  | 54 : 3  |
| <b>day-star . . . had arisen</b> : 2 Peter i. 19.  | 19      |
| The quotation is from Horace's Odes, i. 12, 27-32. He is speaking of Castor and Pollux:—   | 22      |
| —“ soon as gleam<br>Their stars at sea,<br>The lashed spray trickles from the steep,<br>The wind sinks down, the storm-cloud flies,<br>The threatening billow on the deep<br>Obedient lies.”   |         |
| <b>shewen</b> . <i>Shew</i> is an older spelling than <i>show</i> . The termination is the old form of the plural; very common as late as Chaucer, and revived as a poetic archaism by Spenser and Thomson.  | 55 : 9  |
| <b>Palatine</b> = having royal or imperial privileges. There were only three Counties Palatine in England: Lancaster, Chester, and Durham. Their lords exercised within these realms the same judicial powers as did the king. The etymology of <i>Palatine</i> is worth tracing.  | 10      |

**55 : 16 |      disherisons = disinheritings.**

26 | **ne = nor.**

**56 : 2**      **bounden**: old form of the past participle; almost obsolete now, except in the phrase *bounden duty*.

23      **pale** (Latin *palus*, a stake) = fence, limit, bound ; then the region inclosed by bounds. The English Pale in Ireland was the strip on the south and east coasts, where English arms and law prevailed.

**57 : 10**      **Judge Barrington :** Daines Barrington (1727-1800) ; lawyer, naturalist, and antiquarian. In 1757 he was made a justice for the counties of Anglesey, Caernarvon, and Merioneth. That he never rose higher in the law was due, not to lack of ability, but to his literary tastes. Bentham says that he had a "higher intellect" than Blackstone. Charles Lamb (Essay on the Old Benchers) says he attained to considerable dignity "upon the strength of being a tolerable antiquarian, and having a brother a bishop."

14      **Wales was hardly ever free from it.** The last rising of the Welsh (1400-1410) was under Owen Glendower. See his character in Shakespeare's 1 Henry IV. Read also Gray's *Bard*.

58 : 5      The quotation (from Juvenal x., 152) is about as inappropriate as can be imagined. Juvenal is speaking of Hannibal, and tells us how successfully he *removed* the barriers which Nature opposed to his progress: Burke wishes to impress upon his hearers the fact that Nature opposes them with an absolutely *irremovable* barrier.

12      **the arm . . . is not shortened.** Isaiah lix. 1.

23 **Plato; More; Harrington.** Students who have time to consult these classics will find them published at trifling cost in the following editions: the *Republic* in the Golden Treasury Series (Macmillan); the *Utopia* in No. 23, and the *Oceana* in No. 53 of Morley's Universal Library (Routledge).

26 The (inaccurate) quotation is from *Comus*, 634-635: —

— and the dull swain

Treads on it daily with his clouted shoon;—

59 : 28      **irresistible conclusions.** If Burke was ever blinded by the popular fallacy about the irresistible power of Truth, the vote against his Resolutions (270-78) must have opened *his eyes*. On this subject Mill has written wise words (*Essay*

on *Liberty*, chapter ii. ¶ 17). "Men are not more zealous for truth than they often are for error, and a sufficient application of legal, or even of social, penalties, will generally succeed in stopping the propagation of either. The real advantage which truth has consists in this, that when an opinion is true, it may be extinguished once, twice, or many times, but, in the course of ages, there will generally be found persons to rediscover it, until some one of its reappearances falls on a time when, from favorable circumstances, it escapes persecution until it has made such head as to withstand all subsequent attempts to suppress it."

The quotation is from Horace, Lib. ii. Sat. ii. 2, 3.

"What the virtue consists in, and why it is great,  
To live on a little, whatever your state  
(Tis not I who discourse, but Ofellus the hind,  
Though no scholar, a sage of exceptional kind)" —

**rust that . . . adorns** is an image that can with difficulty be admired by a reader with a sense of humor; and **rust that preserves**, though a chemical possibility, is certainly rare.

**touch with a tool.** Exodus xx. 25.

**wise beyond what was written.** 1 Corinthians iv. 6.

**the form of sound words.** 2 Timothy i. 13.

**Lord Hillsborough:** Secretary of State for the Colonies from 1768 to 1772. He was a bitter opponent of the conciliation policy; as late as November, 1781, he expressed the hope that "the independence of America would never be admitted." Even George III. (temporarily forgetting his own existence) declared he did not know a man "of less judgment than Lord Hillsborough."

**wished** = recommended: so used by Shakespeare and Ben Jonson. See Century Dictionary for illustrative quotations.

**the Council.** A well-condensed description of the Privy Council will be found in the Century Dictionary, article *Council* (9).

**the misguided people** = the common people of England. At this time the prospect of war was undoubtedly popular there.

**Mr. Grenville.** George Grenville, brother-in-law of Pitt, originator of the Stamp Act, and Prime Minister from 1763 to 1765. See his character sketched by Macaulay in the second Essay on the Earl of Chatham.

61 : 5

among = 9 + 52  
21 26 26  
11 11

9

11

19

20

62 : 26

64 : 4

14

66 : 30

67 : 7

110 NOTES TO SPEECH OF EDMUND BURKE

- 67 : 11 state = statement.
- 72 : 20 **Courts of Admiralty**: Courts that have exclusive jurisdiction over maritime causes. In the United States, only Federal Courts are allowed to exercise this jurisdiction.
- 75 : 23 **the immediate jewel, etc.** From *Othello*, III. iii. 156.  
[Good name, in man and woman, dear my lord]  
Is the immediate jewel of their souls.
- 24 **a great house, etc.** An echo from Juvenal, v. 67.  
Maxima quaeque domus servis est plena superbis.
- 76 : 9 **cards of man.** Hosea xi. 4.
- 11 **Aristotle . . . cautions us**; in the *Nichomachean Ethics*, Book I. chapter iii.  
"In matters so little stable [as those of politics and ethics] we must be contented, therefore, with catching the general resemblance of truth; and our conclusions will deserve to be approved, if in most cases they are found to hold true; for it is the part of wisdom to be satisfied in each subject with that kind of evidence which the nature of the subject allows; it not being less absurd to require demonstrations of an orator than to be contented with probabilities from a mathematician."
- 77 : 9 **Ireland has ever had, etc.** See note on 15 : 7 and 51 : 15. Sweet and harmonious hardly describe the relations between England and Ireland to-day.
- 26 **the Noble Lord**: Lord North.
- 78 : 7 **that proposition.** See second paragraph of the note on 7 : 8.
- 13 **Experimentum in corpore viii.** "Tis well to try your experiment on a subject that is worthless."
- 30 **back door of the Constitution**; i.e., some committee. In our system of Congressional government, these back-doors have become so numerous and so much used, that the main-door (public and intelligent discussion) is left to rust upon its hinges.
- 80 : 23 **the tobacco of Virginia.** "There has never been a community, probably, in which any one great staple has played such a part as in Virginia. Tobacco founded the colony and gave it wealth. It was the currency of Virginia; as bad a one



as could be devised, and fluctuating with every crop; yet it retained its place as circulating medium despite the most strenuous efforts to introduce specie. The clergy were paid and taxes were levied by the Burgesses in tobacco. The whole prosperity of the colony rested upon it for more than a century, and it was not until the period of the Revolution that other crops began to come in and replace it. The fluctuations in tobacco caused the first conflict with England, brought on by the violence of the clergy, and paved the way for resistance. In tobacco the Virginian estimated his income and the value of everything he possessed; and in its various functions, as well as in its method of cultivation, it had a strong effect upon the character of the people. . . . It was, too, always a sore subject with England; and the 'case of the Planters of Tobacco,' in 1733, presents a sad picture of the losses inflicted by the mother country by extortionate duties, and, what was much worse, by fraud, corruption, clipping, and favoritism of all sorts in the custom-house. . . . Just before the Revolution the exportation of tobacco, including a small quantity from North Carolina, had risen from sixty thousand in 1759, to one hundred thousand hogsheads, was worth nearly a million pounds sterling, and employed about three hundred vessels." — LODGE; *Short History of the English Colonies in America*, chapter ii., pp. 64, 65.

**Virginia and Maryland.** See note on 9: 23. Maryland at this time was only fifth in population (220,000): the extent of her navigable waters, as well as her central position, gave her importance.

**a Treasury Extent:** a remedy for recovering debts due the Crown, under which the body, goods, and land of the debtor may be summarily seized.

**the empire of Germany:** not the modern Empire of Germany, which dates only from 1871, but the Holy Roman Empire, — a congeries of states under the leadership of Austria, which Napoleon dissolved when he formed the Confederation of the Rhine in 1806.

**Posita luditur arca.** From Juvenal's First Satire, lines 89, 90.

— Neque enim loculis comitantibus itur  
Ad casum tabulæ posita sed luditur arca.

81: 19

30

82:

84: 5

"For now-a-days men do not go to the gambling-table with what they happen to have in purse, but they stake their very treasure-chest." Burke's quotations from Juvenal show a better remembrance of the words than of the thought. See note on 58: 5.

84: 9        **one hundred and forty millions.** The national debt had nearly doubled within twenty-five years. The senseless war with the colonies added to this £133,000,000.

24        **And what is the soil, etc.** Notice how admirably the metaphor is carried out; how it is exhausted, yet not tortured. There is no "restless pursuit of comparison, . . . we see great accuracy in depicting the things themselves or their suggestions, so that we may be certain the things presented themselves in the field of the poet's vision and were painted because seen." — G. H. LEWES: *Principles of Success in Literature*, III., ii. 5.

85: 1        **parties must ever exist in a free country.** Must they? Is this an immutable principle of human nature? Notice the metaphor from gambling with which Burke props this assumption; he is down to the level of ex-Senator Ingalls when he declared that government is warfare. — "The persistence of parties, under our present conditions, is due to the fact that the citizen exhausts all his political power for a fixed period in a single act, and that act the election of some man or men to office. There may be a dozen principles which he would like to see embodied in legislation, but he can neither vote for each of them directly nor for a different man for each principle. The best he can do is to vote for a candidate whose views, on the whole, are most nearly in accordance with his own, and resign himself to being misrepresented on the points upon which he and his candidate differ. From this has arisen the habit of picking out what seem to be for the moment the most important subjects in dispute, making them the issues on which candidates contest for election, and ignoring less pressing matters. This at once divides the community into parties, having the nominal ultimate purpose of carrying out their characteristic principles, and the actual immediate purpose of getting their candidates into office. . . .

"As party government has naturally grown out of present conditions, so it would naturally disappear if the conditions

were changed. There is no reason why the man who believes in free trade, the single gold standard, and the Government ownership of railroads, should seek all those objects through one political organization, except that under our present methods he has only one vote, and must cast it for the candidate of one political organization or lose it. If he could vote on each important measure separately, he would probably belong to one association, or party, devoted to the propagation of the free-trade idea, to another working for the gold standard, and to another engaged in agitating for the nationalization of railroads. He would no more expect always to associate with the same men in political matters than in social, religious, and business matters."—MOFFETT: *Suggestions on Government*, chapter vi.

**Ease would retract.** See *Paradise Lost*, iv. 96, 97:—

85: 14

Ease would recant

Vows made in pain, as violent and void—

Burke might appropriately have finished the quotation:—

(For never can true reconciliation grow

Where wounds of deadly hate have pierced so deep).

**speed** = prosper, as in Pope's translation of *Odyssey*, xv. 69-71:—

20

True friendship's laws are by this rule express'd:

Welcome the coming, speed the parting guest.

**the East India Company.** Founded as a trading corporation in 1600, this company, through its officers, Clive and Hastings, in the eighteenth century, laid the foundations of the British Empire in India. Its royal powers were not resumed by the Crown until 1858.

86: 6

**the enemies:** Spain, who claimed from the Mississippi to the Pacific, and France, who had many possessions in the West Indies. See 34: 7 and Note.

16

**ties . . . light as air.** Perhaps suggested by

25

Trifles light as air

Are to the jealous confirmations strong

As proofs of holy writ.

*Othello*, III. iii. 322-324.

**chosen race . . . turn their faces.** There are faint echoes of Biblical phraseology here. See 1 Kings viii. 44, 45; Daniel vi. 10.

87: 8

87 : 16 Spain, then under an excellent ruler (Charles III.), compares favorably with England under Lord North; Prussia, under the tyranny of Frederick called the Great, was certainly a pure despotism. See Thackeray's *Barry Lyndon*, chapters v., vi.

24 registers, bonds, etc. Custom-house terms. A sufferance is a permit to ship goods. Cocket means, (1) the little boat in which goods are transported from ship to custom-house; (2) the seal of the custom-house; (3) a certificate of entry stamped with this seal.

88 : 4 the spirit . . . infused through the mighty mass. The phraseology is an echo from that employed by Virgil in his exposition of the pantheistic philosophy.

Know first that heaven and earth's compacted frame,  
And flowing waters and the starry flame,  
And both the radiant lights, one common soul  
Inspires and feeds and animates the whole.  
This active mind infused through all the space,  
Unites and mingles with the mighty mass; —

*Æneid*, vi. 725-728. (Dryden's Translation.)

12 Mutiny Bill. The annual bill that grants money for the support of the standing army; so called because the first bill of this kind was passed to suppress a mutiny (of Scotch troops at Ipswich in 1689). "To this day, however, the Estates of the Realm continue to set up periodically, with laudable jealousy, a landmark on the frontier which was traced at the time of the Revolution. They solemnly reassert every year the doctrine laid down in the Declaration of Right; and they grant to the Sovereign an extraordinary power to govern a certain number of soldiers according to certain rules for twelve months more." — MACAULAY: *History of England*, chapter xi.

22 profane herd. See Horace, *Lib.* iii. *Carm.* 1: —

Odi profanum vulgus et arceo;  
Favete linguis: —

"Ye rabble rout, avaunt!  
Your vulgar din give o'er," —

The opening lines of this paragraph describe only too well that professional politician so well known in our country.

89 : 4 a great empire and little minds go ill together. A

sentence that should be inscribed in letters of gold over the main entrance to the Capitol at Washington.

**auspicate.** The classical imagery in this word goes incongruously with the Christian imagery in **Sursum corda** (Lift up your hearts). This ancient Catholic **warning** (= bidding, summons) is still used in the Communion Service of the (Protestant) Church of England and of the Protestant Episcopal Church in the United States.

**the dignity of this high calling.** Philippians iii. 14.

**quod felix, etc.** A Roman invocation of great antiquity.

Concerning it Cicero says (Div. i. 45, 102): *maiores nostri . . . omnibus rebus agendis: QUOD BONUM FAUSTUM FELIX FORTUNATUMQUE ESSET præfabantur*. "Our forefathers in all their undertakings were wont to utter a preliminary prayer: 'May it turn out good, favorable, propitious, and fortunate.'" Under slightly varying forms and generally abbreviated thus, Q. B. F. F. Q. S., this religious formula has figured even down to our own time in legal documents and formal instruments, especially such as commemorate human institutions.

To this speech, as a whole, no one can deny Vision, Sincerity, Beauty:<sup>1</sup> Vision, because the speaker saw clearly every aspect of his subject; Sincerity, because he describes it exactly as he saw it; Beauty, because, disregarding a few minor blemishes, his expression is in conformity with the laws of literature as a fine art. If the student cannot perceive and feel for himself these qualities, the critic can do little to help him. Flaws in the diamond, spots on the sun, false notes in the music — these the critic can detect, and has pointed out, in no carping spirit, it is hoped; but rather that the learner may not be misled, by the glamour of a great name, into admiring that which is not truly admirable, or be allowed to forget for a moment that his aim and object is nothing less than the STUDY OF PERFECTION.

<sup>1</sup> According to Lewes' well-known classification.

89: 7

11

21



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